



Montgomery County Circuit Court

FY2009 Annual Report

Administering Justice in an Honest, Fair, and Efficient Manner.

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A Message from John W. Debelius III., Administrative Judge....

To the Residents of Montgomery County,

Being appointed Administrative Judge for the 6th Judicial Circuit and for the Circuit Court for Montgomery County is an honor and a challenge. As part of the constitutionally independent branch of government that upholds the rule of law, the Circuit Court for Montgomery County has established a long-standing tradition of innovation and excellence to fulfill its mission of "administering justice in an honest, fair, and efficient manner."

The Circuit Court is accountable to Montgomery County's residents for its performance in meeting its mandate to deliver justice. The Fiscal Year (FY) 2009 Montgomery County Annual Report provides just that, reporting on caseload and workload measures as well introducing new initiatives undertaken in FY2009. Highlights in this year's report include the planning and design of the Court's new judicial annex building, with construction anticipated to be completed in FY2014; the opening of the county's multi-agency Family Justice Center, civil and family property mediation, and the Jury Commissioner's Office. The Court's achievements in FY2009 are significant and lay the foundation for future improvements. While the Court will face new challenges with budget reductions, we look forward to overcoming those challenges and continuing to deliver justice in an efficient manner to residents of Montgomery County.

Sincerely,
John W. Debelius III
Administrative Judge

Maryland Judicial Branch

Authorized by the Maryland Constitution, the Maryland Judicial branch has a four-court system: two trial courts (District Court and Circuit Courts) and two appellate courts (the Court of Special Appeals and the Court of Appeals). The function of a trial court such as the Montgomery County Circuit Court is to examine evidence in a case and to make judgments based on the facts, relevant laws, and legal precedents. The role of appellate courts is to review a trial court's actions and decisions in a given case and decide whether the court properly followed the laws and legal precedents.

The **District Court of Maryland** is a unified system and has 24 locations in 12 districts with at least one judge presiding in each county and Baltimore City. The District Court, which hears minor civil cases, less serious criminal cases, peace order cases, landlord/tenant cases, and motor vehicle/boating violations, has no jury trials, and each case is heard and decided by a judge. *For more information about the District Court of Maryland, access its website at <http://mdcourts.gov/district/index.html>*

The **Circuit Courts of Maryland** are the trial courts of general jurisdiction and located in all 23 counties and Baltimore City. In contrast to the District Court, which operates under a unified system, each circuit court operates independently with its operations funded primarily by the county or city in which it is located. Circuit courts handle major civil cases and serious criminal cases, as well as family law and juvenile cases. Circuit courts also handle most appeals from the District Court, orphans' courts, and administrative agencies.

The **Court of Special Appeals**, the state's intermediate appellate court, was created in 1966 in response to the rapidly-growing caseload in the Court of Appeals. The Court consists of 13 judges, including six at-large judges and a judge from each of the state's seven Appellate Judicial Circuits. Cases are generally heard and decided by panels consisting of three judges. Montgomery County, which is the 7th Appellate Judicial Circuit, has one judge appointed to the Court of Special Appeals. The court considers any reviewable judgment, decree, order, or other action of the circuit and Orphans' Courts, unless otherwise provided by law. *For more information about the Maryland Court of Special Appeals, access its website at <http://www.courts.state.md.us/cosappeals/>.*

The **Maryland Court of Appeals** is the highest court in the State. The Chief Judge of the Court of Appeals, Honorable Robert M. Bell, sits on the Court along with six other judges. All seven judges hear oral arguments on each case unless a judge removes him/herself from a case. Since 1975 the Court has heard cases almost exclusively by way of certiorari, a discretionary review process. In addition, the Court has exclusive jurisdiction over such diverse areas as death penalty cases, legislative redistricting, removal of certain officers, and certification of questions of law. Montgomery County, the 7th appellate judicial circuit, holds a seat on the Court of Appeals. *For more information regarding the Maryland Court of Appeals, access its website at <http://www.courts.state.md.us/coaoverview.html>.*

There are other adjudicatory bodies in Maryland, four of which are highlighted below.

The **Office of Administrative Hearings** was created in 1990 to centralize and improve the administrative hearing process of government agencies in the State of Maryland. Citizens and businesses dissatisfied with an action by an agency of the State government may have their cases heard by Administrative Law Judges to obtain an impartial review. Administrative Law Judges are independent of the government agency whose action is being contested.

Orphans' Courts handle wills, estates, and other probate matters. The courts also share jurisdiction with circuit courts in the guardianships of minors and their property. Each Orphans' Court in the state of Maryland has assigned three judges except for Harford and Montgomery counties, where circuit court judges sit on the Orphans' Court (MD Constitutional Article IV§20). *For more information on the Workers' Compensation Commission, access its website at <http://www.msa.md.gov/msa/mdmanual/33jud/html/10orph.html>.*

The **Maryland Tax Court** hears appeals from the final decisions of any State or local government agency authorized to make decisions about tax issues. The Court is an independent administrative unit of the State government to perform quasi-judicial functions, such as the making of factual determinations and the resolution of legal tax issues.

The **Workers' Compensation Commission** administers the Workers' Compensation Law and adjudicates claims for compensation arising under the law (Code Labor and Employment Article, secs. 9-301 through 9-316). Reports of accidents are received and processed by the Commission which hears contested cases throughout the State. Claimants requiring rehabilitation are referred by the Commission to appropriate rehabilitation service providers. Appeals are to be filed in the Circuit Court that has jurisdiction over the adjudicated claim. *For more information on the Workers' Compensation Commission, access its website at <http://www.msa.md.gov/msa/mdmanual/25ind/html/80workf.html>.*

Montgomery County Circuit Court History: Our Past and Future

The Circuit Court's first Annual Report (FY2008/FY2009) provided a detailed overview of the court's history, including its origin in Montgomery County and the various courthouses constructed to support the needs of county residents.¹ This year's report limits the discussion of the Court history and focuses on our future, providing details of the Court's planned judicial annex.

Our Past

The 1st courthouse in Rockville was built in 1785, and it supported not only court personnel but also other offices of the county. By 1835, the demand grew for a new courthouse as the space available in the first courthouse was quickly becoming insufficient to meet the needs of the county. A new courthouse was constructed in

1840 only to be replaced in 1891 by the

Red Brick Courthouse. The Red Brick Courthouse, which is the county's third

court building, remains functional and forms an annex to the 4th courthouse known as the Gray Courthouse, which opened in 1931. This courthouse currently houses the Maryland District Court and the Circuit Court's Juvenile Court and associated staff.



Red Brick Courthouse



Gray Courthouse

Our Present

The Montgomery County Circuit Court is located in the Montgomery County Judicial Center, which is part of the County Government complex in Rockville bounded by Jefferson Street to the south, Maryland Avenue to the west, and Monroe Street to the east. The Judicial Center building, completed in 1980, is comprised of nine stories above grade, and two levels of below



Montgomery County Judicial Center

¹ An on-line copy of the report is available from:
http://www.montgomerycountymd.gov/Content/CircuitCourt/Court/Publications/PDF/FY2008_2009_Annual_Report.pdf

grade parking. The County's Executive Office Building (EOB) is located southeast of the Judicial Center and is connected at the Terrace level and by the underground parking levels. The Judicial Center houses courtrooms on the upper four levels with the Administrative Judge and the Court's ceremonial courtroom, Sheriff's Office, Clerk of the Court, Family Division Services, Court Administration, Register of Wills, and the State's Attorney Office occupying the terrace level through the 5th floor. Due to severe space limitations, however, the Circuit Court functions occupy parts of two additional buildings outside of the Judicial Center, using dedicated space in the District Court building and the Red Brick courthouse.

Our Future: Montgomery County Circuit Court Judicial Center Annex Project²

Increased case filings spurred by population growth, mandated jurisdiction changes, advances in courtroom technology, as well as additional services provided to the Court's patrons, particularly in family and child welfare cases are the primary reasons for increases in judicial staff and the associated need for a new Judicial Center Annex.

An analysis of the future facility needs of the Montgomery County Circuit Court has been ongoing for almost 15 years since 1995. Between 1998 and 2003, at least three separate studies to examine the Court's current and future judicial needs and associated planning efforts were conducted, each resulting in an updated Facilities Master Plan for the Circuit Court. The second study performed in 2000 forecasts that the Court would need 31 judges by FY2020 and proposed three alternative solutions to meet those future needs. The County Council approved a preferred solution on May 13, 2002 as the best alternative for expanding facilities on the basis of cost, operational issues, ease of construction, and timeliness. The preferred option envisioned a two-phase Annex located to the south of the existing Judicial Center. In late 2002, the 2000 Facilities Master Plan was reexamined and updated by feedback from the Court and an in-depth analysis of court staffing needs, and conceptual designs were prepared for the design of the two-phase Annex project. In 2003, the third needs analysis study was conducted to project the Court's judicial and spatial needs through FY2025. Accordingly, the Master Plan was revised



Judicial Center Annex: Plaza side



Judicial Center Annex: Plaza side

² All the pictures in this section are from the Montgomery County Department of General Services' presentation to the County Council (available from <http://www.montgomerycountymd.gov/content/DGS/Dir/OPD/Resources/JCA-PresentationToCouncil.pdf>)

with new target dates for Phases I (2015) and II (2025) in January 2004. It was not until FY2009 that funding through the Capital Improvements Program (CIP) became available and was provided to the Circuit Court by the Montgomery County Council to begin design and construction on its new Judicial Center Annex.

Agreement has been reached on the preliminary spatial configuration of the proposed six-story Annex to house the entire family and juvenile case-related functions, including courtrooms and court support functions, which are currently located in two separate buildings. When completed in May 2014, the annex will have seven new courtrooms and chambers with three additional shell courtrooms and chamber spaces to meet future needs.

In addition to putting all family and juvenile functions in a single building, the annex will foster and enhance communication and cooperation among the Clerk's Office and Court Administration staff. For example, staff of the Family Department and those of Family Division Services (FDS) will occupy the same floor just beneath the Family Division Masters' hearing rooms whereas the Juvenile Department clerks will share the same floor with the Juvenile case managers a floor below the courtrooms and chambers of juvenile duty judges.

The annex will also provide the Court with much needed space for the State Attorney's Office, retired judges who perform various judicial duties, and other departments. Some of the Court's functions such as the Clerk's Office and the Jury Lounge will be relocated to different areas within the current Judicial Center. While the current judicial center will maintain the existing 17 courtrooms, alterations and upgrades will be made to vacated spaces and public spaces, including the Court's main entrance and its HVAC systems as part of construction of the Annex.

The development of the Annex is part of Montgomery County's Government Core Master Plan whose goals are to create a government complex that allows the County to prepare for its short term and long term growth needs from 2015 through 2025, and beyond. The existing Judicial Center with its new Annex, along with the existing EOB building, the new District Court (to be completed in 2010), and the future County Office Building (COB) are an integral part of an updated Montgomery County Government complex, which will include a plaza in the center of the buildings to enhance pedestrian movement and activities through enhanced green spaces, gateways and public spaces, and consolidated parking spaces.

The Circuit Court is very hopeful that this Annex construction will help not only the Court address current space constraints but also improve the quality of the services that the Court provides to the County residents.

The following pictures reflect the anticipated interior designs of the Judicial Center Annex:



New Judicial Center Main Entrance Annex



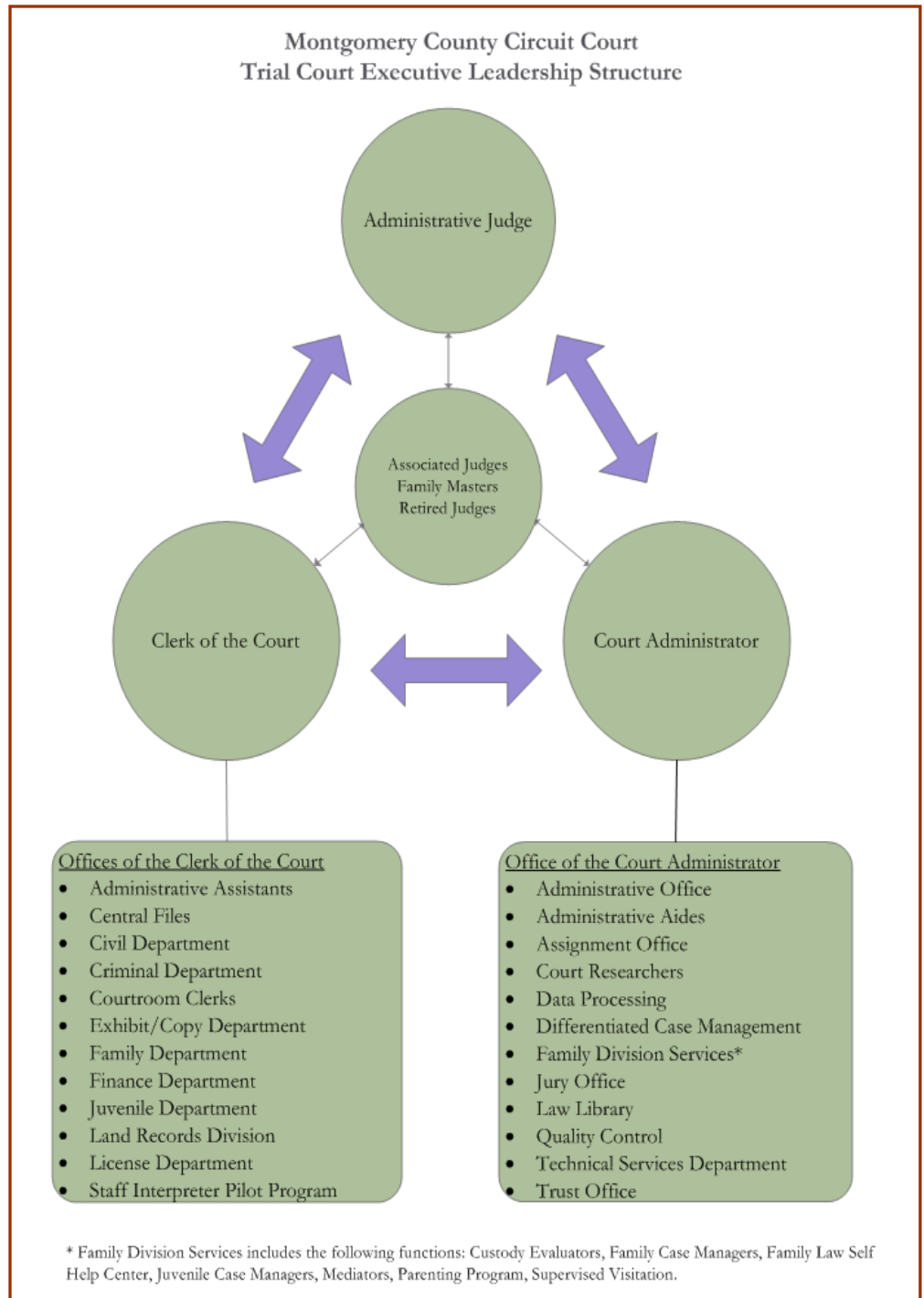
New Courtroom in the Judicial Center Annex



Gallery in the Judicial Center Annex

Montgomery County Circuit Court Executive Leadership Team

The Montgomery County Circuit Court relies on close collaboration among three individuals in its efficient operation: the Administrative Judge, the Clerk of the Court, and the Court Administrator. The Circuit Court is led by the Honorable John W. Debelius III, Circuit and County Administrative Judge for Montgomery County, who is responsible for the administration of justice including the supervision and assignment of judges. As an independently elected official, Loretta E. Knight, holds the position of the Clerk of the Court. The Clerk's Office was established as an independent keeper of the records to maintain their integrity in a safe and impartial manner. Providing the Court with various administrative and support services is Court



Administration, which is lead by the Court Administrator Pamela Q. Harris. Close coordination among these three executive leaders is essential for the efficient functioning of the Court and to ensure that quality justice is afforded to Montgomery County residents.

Judges and Masters

The number of judges presiding at each of the Circuit Courts is set by the Maryland statute, and Montgomery County Circuit is to have 22 “resident judges” in its jurisdiction.³ In FY2009, the Montgomery County Circuit Court had 21 presiding judges, including the Administrative Judge, 10 Associate Judges in the family/juvenile rotation, 5 in the civil rotation, and 5 in the criminal/general-duty rotation.

Circuit Court Judges are elected to a 15-year term in the general election. Any vacancies may be filled by the Governor’s appointment until the next general election. The Maryland Constitution defines that Circuit judges must be at least 30 years of age, qualified voters, members of the Maryland bar, and residents of Maryland for at least five years and residents of the county for which they are elected to serve for at least six months.⁴ The constitution also stipulates that judges must retire at age 70.⁵

In addition to the 21 full-time judges, the Circuit Court has 4 Family Division Masters and 2 Special Masters. Formerly known as Domestic Relations Masters, the Family Division Masters perform their duties as specified in Maryland Rule (Rule 9-208, Rules of Practice and Procedure, Annotated Code of Maryland). In addition to presiding over the hearings specified in the Rule, Family Division Masters provide written or oral findings and recommendations in those cases referred for hearing. Masters also

John W. Debelius III, Administrative Judge



Judge Debelius has been the Circuit Administrative Judge for the Sixth Judicial Circuit (Frederick & Montgomery Counties), and the Montgomery County Circuit Court Administrative Judge since September 1, 2009.

Previously, he served as an Associate Judge for Montgomery County Circuit Court between July 20, 2001 and August 31, 2009. Judge Debelius was chosen as the designated judge for Advanced Science and Technology Adjudication Resource (ASTAR) Center Program in 2005. He was a private practitioner, a member of the Court’s original Differentiated Case Management (DCM) committee in 1993, and is currently leading a collaborative DCM committee. Judge Debelius’s continued efforts to ensure expediency in case processing highlights his commitment not only to the rule of law but also to Montgomery County’s residents.

³ Annotated Code of Maryland, Courts & Judicial Proceedings Article, §1-503

⁴ Maryland Constitution, Article IV, Part 1, Section 2.

⁵ Maryland Constitution, Article IV, Part 1, Section 3.

conduct scheduling conference hearings and settlement/pre-trial conferences in accordance with the Family Division DCM plan. The Special Masters are responsible for handling a variety of motions in civil and family cases including presiding over child support cases (for additional information on the Court's DCM plans see pages 51-53 of this report)

There are also 13 former judges retired from Montgomery County Circuit Court who actively handle any court matter, both hearings and trials, upon the request of the Court's Assignment Office.⁶ These judges are invaluable in providing additional judicial resources when dockets are especially heavy, presiding judges are unavailable or there is a judicial vacancy. Some of the retired judges handle the Disposition Hearing Docket, which is a type of docket created to help the State and the Defense resolve criminal case without a trial. Other retired judges handle post-judgment family cases that require a modification of child support and/or visitation. The retired judges also perform mediations either upon the request of the Court or attorneys. When requested, these retired judges also provide their services to Circuit and District Courts throughout the State of Maryland.

Judgeship Position Increase in Montgomery County Circuit Court

Over the years Montgomery County Circuit Court has undertaken a number of initiatives to efficiently process its caseload without compromising the fair and expeditious administration of justice. These initiatives include but are not limited to the implementation of differentiated case management (DCM) in all major case types and alternative dispute resolution (ADR) programs in civil, family, and juvenile cases. While some initiatives are meant to help realign the Court's caseload in a way that efficiently utilizes its limited judicial resources, other initiatives such as those provided by Family Division Services fulfill core functions of the administration of justice and often require additional judgeships to ensure the successful implementation of these programs and the achievement of positive program outcomes.

The Court's judicial needs are continuously being reviewed and assessed. In fact, when comparing Montgomery County Circuit Court with courts of similar size and case complexity in the state, the Court's "population per judge" ratio of 46,541 residents per judge for FY2007 is well above the average of 43,962 residents. Further, despite having fewer judges, Montgomery County Circuit Court handled the second highest number of total filings per judge in FY2007. Recognizing that efficient management of the Court's caseload requires additional judicial resources, the Montgomery County Council and the County Executive have continued throughout the years to support the need for not only additional judgeships but also the space to house those appointments and the associated staffing requirements necessary. As a result of these collaborative efforts, the Court received funding to support a total of 22 judges in FY2010.

⁶ It is important to note that retired judges from anywhere in Maryland can assist Montgomery County Circuit Court with presiding over its caseload.

Clerk of the Court

The Office of the Clerk of the Circuit Court is a public institution and rich in Maryland tradition and history as one of the oldest public offices in our state dating back as far as 1658 to the first Maryland settlement in St. Mary's County. The duties of the judges at the state trial court level were so compelling that the Clerk's Office was established by the Maryland Constitution as an independent keeper with its own budget to be in charge of the custody of the court records, in particular to maintain the integrity of the records in a safe and impartial manner, as well as to perform other court-related duties.⁷

The functions of the Office of the Clerk of the Court center on serving the public. In order to execute its functions, with an annual budget of over \$11 million in FY2009 the Office of the Clerk of the Court relies upon 190 state-employed staff working in eight key functional areas of the Court: Criminal, Civil, Family and Juvenile Departments, Land Records Division, License Department, Finance Department, and the Courtroom Clerks Office. The Office of the Clerk of the Court collected over \$50 million from the recording of land records, criminal bonds and fines, license fees, and filing fees. Furthermore, the Clerk of the Circuit Court administers the Oath of Office to elected officials, judges, county police officers, sheriff officers, special police officers, assistant and deputy state's attorneys, fire department members, and gubernatorial appointees.

Loretta Knight, Clerk of the Court

Loretta Knight was elected as the Clerk of Montgomery County Circuit Court in 2006. She took office on December 1, 2006, and brought with her 25 years of Montgomery County Circuit Court experience. Before becoming the Clerk of the Court, she was Deputy Clerk and Manager of the Circuit Court's Civil Department. As the Clerk of the Court, Ms. Knight takes great pride in ensuring that court records are accurate, efficiently processed and accessible to the public as stipulated by law. Under her leadership, the Court has initiated several new projects such as the Staff Interpreter Pilot Program. Ms. Knight is the President Elect of the Maryland Association of Circuit Court Clerks, a member of various organizations including the State's Conference of Circuit Court Clerks, the Critical Barriers Committee of the Maryland Access to Justice Commission, the Advisory Board of the Mid Atlantic Association of Court Management, and Montgomery County's Criminal Justice Coordinating Commission. She is also a departmental legislative contact for the Office of Intergovernmental Relations. As the Clerk of the Court, Ms. Knight has testified before the Maryland House, Senate Joint Committee for Montgomery County Circuit Court on a variety of issues.



Some of the key services provided by the Office of the Clerk of the Court include:

- Performing marriage ceremonies (approximately 3,400 a year).
- Administering over 600 statutory obligations established by Maryland law.

⁷ Maryland Constitution, Article IV, Part 1, Section 10.

- Addressing questions or concerns raised by court patrons regarding a variety of issues related to their cases.

If there are issues of concern, please contact the Clerk's Office by calling (240)777-9466. Suggestions and comments regarding ways to improve the Court's service to Montgomery County residents are highly appreciated.

Court Administration

Montgomery County Circuit Court Administration supports a variety of core Court functions and enhances its delivery of justice by providing various administrative and auxiliary services, developing policies, and serving as a clearinghouse for judicial and non-judicial operations of the Court.

Equipped with a budget of over \$12 million in FY2009 and 140 staff members, Court Administration is responsible for the Court's technology and information systems, its facilities, services to litigants, jury management, inter-agency/department communication and coordination related to caseload management. The following departments and divisions perform these responsibilities: Administrative Office, Administrative Aides, Assignment Office, Court Researchers, Family Division Services, Jury Commissioner, Law Library, Quality Control, Technical Services, Trust

Office, and Differentiated Case Management. Court Administration is committed to incorporating evidence-based approaches into every aspect of Court Administration and case management, so that any initiatives achieve intended results while meeting the needs of the Court's patrons – Montgomery County's residents, as well as the judges and staff of the Court.

Pamela Q. Harris, Court Administrator



Pamela Harris is the Court Administrator for Montgomery County Circuit Court and has held that position since 1986. With her extensive experience and expertise in court administration and differentiated case management, she has worked with other courts throughout

the state, nationally and internationally to enhance core functions of courts.

Ms. Harris is a Fellow of the Institute for Court Management and is currently a member of the Maryland Conferences of Circuit Court Judges and Circuit Court Administrators; the Maryland Technology Oversight Board; and the Maryland Integrated Statewide Case Management Committee. She is one of the founding members and a former president of the Mid-Atlantic Association for Court Management (MAACM) and is currently serving as an officer on the National Association of Court Management (NACM) Board.

Ms. Harris is also active internationally with rule of law initiatives. Following the retirement of the Honorable Alan Wilner, Court of Appeals, she was elected as an officer on the Board of the Russian American Rule of Law Consortium (RAROLC), which is a consortium of legal communities of ten states promoting the rule of law within the legal communities of Russia for over 15 years. Her involvement with the judicial systems on local, national, and international levels serves as a testament to her commitment to ensuring that justice is administered in an honest, fair, and efficient manner.

Highlighted Functions of the Circuit Court

Family Division Services

As part of a comprehensive system for managing family and juvenile cases at the Circuit Court for Montgomery County, Family Division Services (FDS) provides a wide range of out-of-court services for the parties involved in these cases. Funded by a grant from the Department of Family Administration, Maryland State Administrative Office of the Courts (AOC) (over \$2 million in FY2009), FDS supports over 30 full- and part-time staff (not including volunteers and staff supported by contractual service providers). During FY2009, over 10,000 original family and juvenile cases (10,373: 8,394 family law actions and 1,979 juvenile causes as defined by Maryland Rule 16-204) were filed in the Circuit Court.

Additionally, a total of 9,022 cases were reactivated by new motions (6,506 family actions and 2,516 juvenile causes). The number of family filings (both original and reopened cases), which has been steadily increasing since FY2005, reached its highest level in FY2009 (14,900 cases, original and reopened



combined) since FY1997. For detailed information about the services offered by FDS, please access the Circuit Court's [Family Division Services website](#).

The mission of FDS is to protect and serve the best interests of children and families residing in Montgomery County. To this end, the Division seeks to:

- Provide opportunities for litigants to become aware of their rights and responsibilities and to access information to assist them with judicial procedures.
- Provide parties involved in cases with opportunities to discuss and resolve issues outside the Court.
- Provide education and support opportunities/resources that assist families involved in cases to acquire various skills and techniques, so that they may be able to avoid additional family conflicts, which may result in future litigation.
- Provide continuity of case management by assigning cases to a Case Manager, Master⁸, and/or a Judge.
- Manage the progress of family cases according to the Family Differentiated Case Management (DCM) plan, which provides standards for appropriate track assignment and the scheduling of upcoming court events to ensure that cases are processed in an efficient manner.
- Implement measures to attract and sustain the most highly qualified Masters and Judges to serve in the Family Division.

Custody and Access Mediation Program

The Custody and Access Mediation Program offers parents involved in separation, divorce and child custody cases an opportunity to discuss and resolve issues involving their children. Its mission is to resolve issues as early as possible so as to avoid the need for trial.

By using the mediation process to help resolve child custody and access disputes, parents begin to work together to create their own child custody and access plan, known as a Parenting Plan, on behalf of their child(ren). Through this process, parents start to manage disagreements through discussion while maintaining a positive and emotionally responsible relationship with one another.

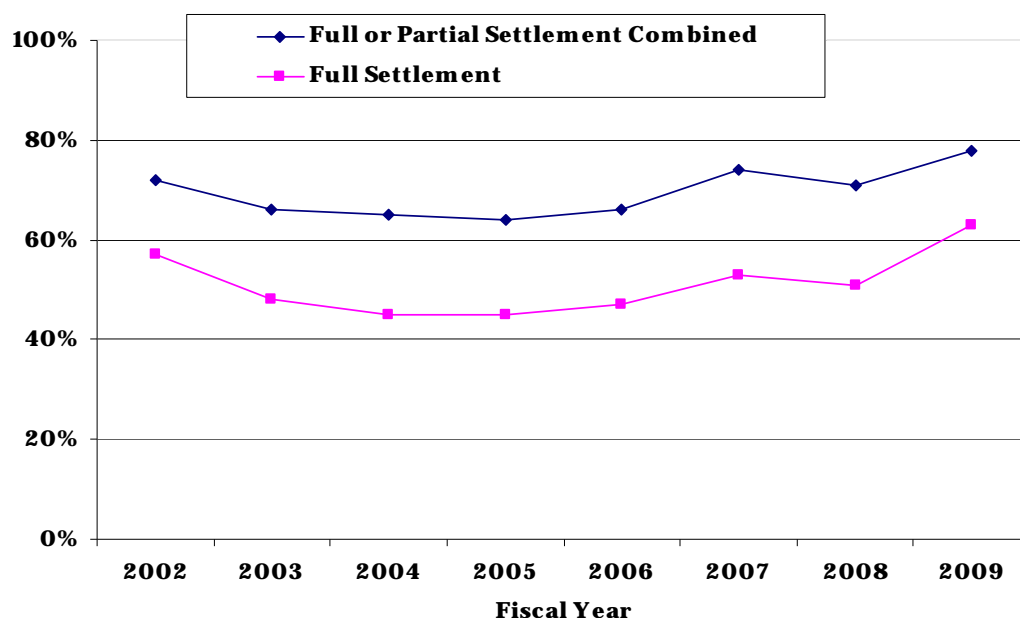


⁸ A Master is an individual appointed by the Judges of the bench to hear family matters, make a report and recommendations based on testimony received at a hearing, and provide an analysis of the testimony.

In FY2009, the mediation program consisted of one full-time and three part-time mediators, one of whom is bilingual (English and Spanish). The mediators focus on parenting issues, including decision-making related to legal custody and the amount of time the child(ren) are to spend with each parent. Mediators also help parties address child support issues in post-judgment matters. Occasionally, the parties reach full agreement on the issues during a single mediation session, but most cases require two mediation sessions. The parties may also jointly request a third session if they believe it will help them come to a full resolution of all their identified issues.

The mediators are committed to equipping parties with effective conflict resolution strategies, which are critical to reducing post-judgment activity. Custody and child access mediation is ordered for a single-session in post judgment matters and is focused on the particular issues responsible for bringing the party back to the court. Post-judgment matters have shown to be a challenge for the mediation process, particularly when child support is at issue. In FY2008, 60% of cases ordered to mediation were mediated. In contrast, only 36% of cases ordered to mediation in FY2009 were mediated. A possible reason for this decline in mediated cases is due to the Court's strict adherence to the Domestic Violence Screening Tool developed by AOC. Once cases are ordered to mediation, the screening tool is used to assess whether the cases should proceed to mediation. As shown on Figure 1, in FY2009, 78% of all original custody and child access cases that went to mediation resulted in a full or partial settlement of those issues discussed, which is slightly higher than what was achieved in FY2008 (71%). Between FY2002 and 2009, 60% to almost 80% of custody and access cases that went to mediation resulted in a partial and full settlement; in particular, 45% to 63% of such cases resulted in full settlement.

Figure 1 Percentage of Custody/Access Cases Mediated that Reached Full and Full or Partial Settlement, FY2002-FY2009



Efforts related to mediation undertaken in FY2009 to further support the Court's goal of providing accessible and transparent services to all patrons include:

- **Mediation and Conflict Resolution (MACRO) Grant:** FDS secured a grant in FY2009 from MACRO for translating mediation and related informational documents into Spanish. By making these documents available to Spanish-speaking litigants, the Court has taken another step toward providing important information in an easily understandable format to those litigants.
- **Increasing Mediator Availability:** FDS has increased mediator availability by offering same day mediation. If the parties are willing to go to mediation directly following their intake, they can have their first session that day, saving them an extra trip to the court and also allowing them to commence the dispute resolution process much earlier than in the past.

Developing the program...

In 1999, Family Division staff developed Montgomery County Circuit Court's co-parenting skills enhancement program. The Court patterned the program after the P.E.A.C.E (Parent Education And Custody Effectiveness) Program and modified its content slightly to meet the needs of Montgomery County residents. The program consists of two three-hour consecutive sessions. Currently, three two-session presentations (two after work hours and one during the day) are offered per month, free of charge for the parents who received a Court order to participate in the program.

Co-Parenting Skills Enhancement Program

FDS is committed to helping families who are experiencing separation and divorce develop positive, working relationships for the benefit of their children. In order to help parents proceed through this difficult process, the Court has developed an in-house co-parenting skills enhancement program. The purpose of the program is to provide parents with the skills necessary for rearing a child(ren) between separate households.

Court evaluators provide the co-parenting skills enhancement sessions to parents who received a Court order to participate in the program. The program provides parents with an opportunity to learn about problems that their children may experience as a result of divorce/separation and associated parental conflicts. The program also offers parents an opportunity to learn the necessary skills to keep their children out of family conflicts and helps them acquire new parental skills necessary for rearing children between separate households. With these skills in hand, parents can help their children make a healthy adjustment to a new situation where their parents no longer live together. Trying to establish a new way of life is a difficult task for any parent going through a divorce or separation, particularly when confronting

parental conflicts. The co-parenting enhancement skills program helps parents create an effective co-parenting environment by:

- **P**roviding parents with helpful information about the court system, their own and their children's responses to divorce/separation, and how to alleviate resulting problems with the help of community resources,
- **A**ssisting parents to develop skills promoting healthy adjustment by their children,
- **R**eminding parents that their children's needs are primary,
- **E**ncouraging parents to develop a workable post-divorce or separation parenting plan rather than having the court impose one on them,
- **N**oting the impact that divorce has on children of different ages,
- **T**eaching parents new communication skills, and
- **S**uggesting new methods for conflict resolution.

Beginning in late October 2003, all sessions of co-parenting skills enhancement program were made available to Spanish-speaking participants. Using a radio transmitter and headphones, an interpreter provides near simultaneous interpretation of the sessions with minimal disruption. In addition to providing translation to Spanish-speaking litigants, translation is provided for nine of the most common languages spoken by language-minorities in Montgomery County. For these litigants, co-parenting sessions are scheduled on an individual basis, as are other languages for which a qualified translator can be found. Access to the co-parenting skills enhancement program has increased significantly for Spanish-speaking and other language-minority residents of Montgomery County through the availability of translation services. In fact, a second radio transmitter was purchased, allowing up to two languages (Spanish plus another language) to be interpreted in any session. Further, Spanish-speaking participants are now scheduled automatically at the Scheduling Conference, where the computer presents available session dates prior to the scheduled mediation. A Spanish language guide to the co-parenting order is generated automatically when a party requests a Spanish interpreter.

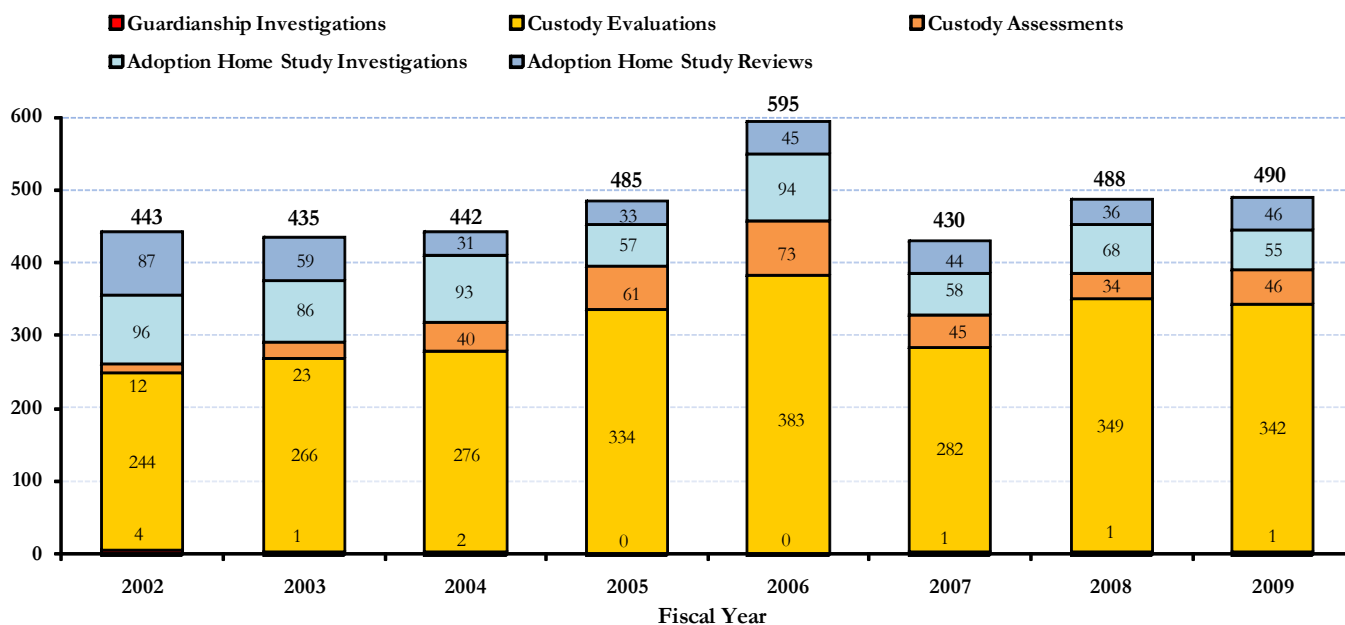
Case Assessment and Evaluation

In order to deliver judgments in the best interest of parents and their children involved in family cases, the Court relies upon its Court Evaluators to provide impartial and objective assessments of the issues in the case. A Managing Court Evaluator and seven full- and four part-time Court Evaluators perform the investigative services for the Court, including evaluations and assessments in contested custody and

visitation matters as well as adoption home study investigations and reviews of home studies provided by agencies or independent contractors. In addition, the evaluators participate in settlement/status conference proceedings and, when necessary, testify at merits hearings. Court Evaluators also conduct guardianship investigations.

The Masters and Judges have found both evaluations and assessments to be effective investigative tools. As a result, the demand for Court Evaluators' investigative services has been increasing. As shown in Figure 2, the overall workload of the evaluators' investigative services was 430-440 assessments per year between FY2002 and FY2007, except for FY2005 and FY2006 when the workload increased dramatically to 485 and 595 assessments, respectively. In FY2008 and FY2009, the workload returned to the FY2005 level. The composition of the Court Evaluator workload indicates that in recent years a much greater percentage of the Evaluators' work is devoted to custody-related evaluations. The percentage of the overall evaluator workload devoted to custody evaluations or assessments steadily increased from 58% in FY2002 to 79% in FY2009, except for FY2005 when it jumped to 81%.

Figure 2 Number of Court Evaluator Investigative Workload by Type of Assessment, FY2002-FY2009



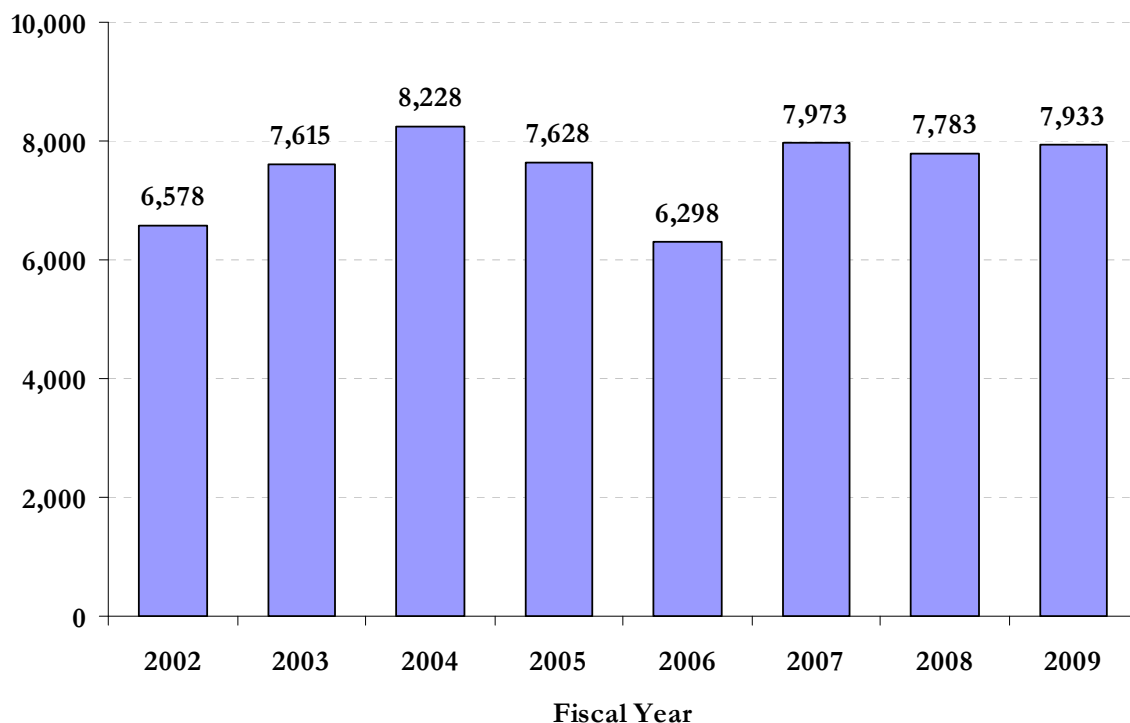
Family Law Self Help Center

The Family Law Self Help Center located in Room 224 of the Judicial Center is a FREE walk-in clinic that provides **general legal information and limited legal advice** in family law disputes involving divorce,

custody, visitation, and/or child support. The Center has been a critical resource for self-represented litigants involved in family cases in the Circuit Court since 1993. Such litigants, who cannot afford counsel and therefore must represent themselves, rely on the legal expertise of the Center's staff to help guide them through their case. The Center has been a component of FDS since its first year of existence. Its full-time staff consists of three attorneys and a legal assistant who is fluent in Spanish. Attorney volunteers are also available to support the Center's services. Despite its small size, the center has assisted about 7,900 self-represented litigants in FY2009, a slight increase from FY2008 when close to 7,800 people were seen by the Center staff (see Figure 3).

The Self Help Center is designed to assist individuals representing themselves in SIMPLE family matters only.⁹ As part of its service, attorneys and paralegals can provide assistance related to identifying the family law forms most appropriate for an individual's case, assisting litigants complete the necessary legal forms, as well as helping litigants navigate through the court system and understand the laws related to their case.

Figure 3 Family Law Self Help Center: Number of Clients Served, FY2002-FY2009

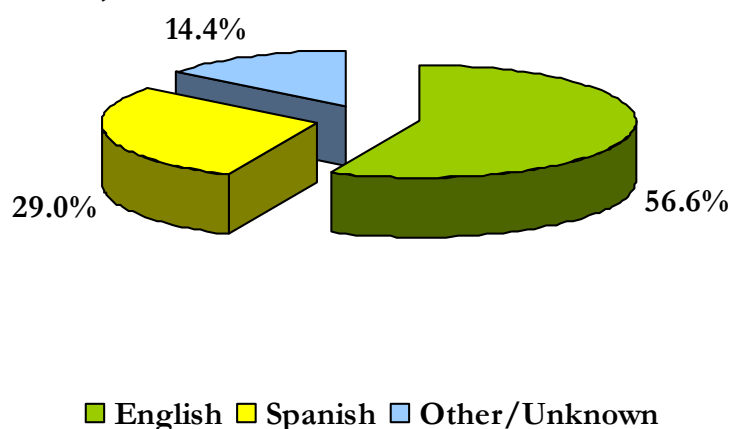


⁹ Please note that assistance provided through the Family Law Self Help Center is dependent on a client's income eligibility determined based on established state-wide income guidelines and on the complexity of the case. In FY2009, 56% of individuals seeking service from the Center had annual income levels of less than \$30,000, compared to 56% in FY2008, 58% in FY2007 and 64% in FY2006.

If the case is found to be too complex or otherwise inappropriate for the Center to handle, such as cases involving domestic violence, emergency petitions, guardianships, or complex property support issues, a staff attorney will attempt to refer the client to an appropriate agency or program. Individuals with contested or complex cases are strongly recommended to retain their own attorneys.

Having a staff member who is fluent in Spanish at the Center is critical since the number of individuals whose first language is Spanish continues to increase. As shown in Figure 4, in FY2009, 29% of individuals seeking assistance from the Center spoke Spanish as their primary language, compared to 27% in FY2008, 25% in FY2007, and 23% in FY2006.

Figure 4 Family Law Self Help Center: Primary Language of Clients Served, FY2009



To best serve the needs of the Spanish-speaking population in Montgomery County, in FY2006 the Center started providing a Spanish interpreter one day a week in the afternoon to help alleviate long waits and to increase accessibility of the Center to clients. The ability of Center staff to accommodate the growing Spanish-speaking clientele highlights the depth of the services afforded to self-represented litigants by the Circuit Court.

In addition to the Family Law Self Help Center, the Maryland Judiciary provides self-represented litigants the availability of State-approved domestic-relations forms according to subject matter. At the Circuit Court, sample forms are displayed (according to subject matter) for review in the reception area of the Family Law Self Help Center. The blank forms are also available from the Family Law Department, which is located on the first floor of the Judicial Center and on-line from the Maryland Judiciary's website (<http://www.courts.state.md.us/family/forms/index.html>). Easy access to these domestic-relations forms and the display of related information by subject matter have assisted litigants who often search for such materials when preparing for their case. Further, the Center maintains a collaborative, supportive relationship with staff attorneys from the Bar Foundation Pro Bono Program and Legal Aid Bureau. Attorneys who may wish to volunteer their services at the Family Law Self Help Center are encouraged to stop by anytime and provide their services. This flexible approach has been instituted so that attorneys are able to volunteer in accordance with their schedules without making any formal arrangements. Key goals

of the Center for the coming fiscal year are to provide timely, efficient and appropriate legal services to Montgomery County's neediest residents.

Juvenile Division

The Juvenile Division is a part of FDS and is responsible for oversight of juvenile delinquency petitions, Children In Need of Assistance (CINA) petitions, Termination of Parental Rights (TPR) petitions, voluntary placement petitions, and petitions for peace orders. The Division's mission is two-fold:

- 1) Protect and serve the best interest of the children who are a part of the Juvenile Court through continuity of case management, and
- 2) Provide mediation services to the families involved in child welfare cases, which serve as a forum where parties may be able to reach collaborative agreements without the Court's intervention, thus providing parents with some control over case outcomes.

In March 2002, the Juvenile jurisdiction was transferred from the District Court to the Circuit Court. A critical component of that transfer was the development of the Juvenile Differentiated Case Management (DCM) plan, which brought the juvenile caseload into compliance with statutory guidelines while maintaining the quality of the outcomes for the parties involved. The success of the Juvenile DCM plan is closely tied to the work of the three juvenile case managers and their supervising case manager. The juvenile case managers are responsible for preparing pre-trial dockets, scheduling expedited hearings when a child's situation requires adjustment on an urgent basis, screening CINA cases in advance of Court-ordered mediation, as well as scheduling mediators for CINA mediation sessions and for Permanency Planning and TPR mediations post-disposition.

Juvenile Division matters are governed by strict statutory timeframes and require a high degree of judicial oversight by the Court. The majority of the Court's workload is comprised of delinquency petitions and CINA petitions. Delinquency cases involve children who have committed a "delinquent act," which is an act that would be a crime if committed by an adult. CINA cases involve children and their families who require court intervention because the child has either been abused or neglected, has a developmental disability or a mental disorder, and the child's parents, guardian or custodian are unable or unwilling to give the child proper care and attention. For statistics related to Juvenile cases, please see the section of the report focused on Court Workload Statistics beginning on page 66.

The Juvenile Division has undertaken a number of initiatives over the past several years to ensure that cases are processed in a fair and efficient manner. Key Juvenile Division initiatives include:

- Annual Adoption Day: A primary goal of the Juvenile Court is to achieve permanency for the children who come before it. On November 15, 2008, the Circuit Court, in conjunction with the Department of Health and Human Services, held its first annual adoption day. This event celebrated the formal adoption of 21 children who had formally been adjudicated as CINA. The Court held its second adoption day on November 20, 2009 where 22 children were adopted. In an environment where cheer and celebration are so often muted by the weight of children and families in crisis, the annual Adoption day stands out as a testament to human resiliency and compassion.
- Compressing Dockets: In order to increase the workload of the juvenile judges, a decision was made at the end of FY2007 to compress the juvenile dockets from four to three. The resulting docket structure, which was implemented in FY2008, strikes a balance between providing an appropriate caseload for juvenile judges, adding needed judicial resources in the Family rotation, and keeping juvenile dockets available to only juvenile matters. Collaboration between the Administrative Office of the Court, Assignment Office, and Data Processing were critical to ensure that the restructuring of the court dockets occurs with minimal disruption. During the transition, the Juvenile Division notified the bar and other participants about the modification fielding questions and concerns (when necessary) regarding changes to the docket structure.
- Maximize Judicial Continuity: It is a best practice to maximize judicial continuity for a child and their family on their journey through the legal system. In FY2009, the Honorable Katherine Savage agreed to serve as the Juvenile Judge in charge, providing a base of judicial leadership backed by many years of experience on the juvenile bench. Judge Savage handles dockets primarily comprised of child-welfare cases, and this has added a much needed level of continuity to these complex and long-lived matters.
- Termination of Parental Rights Cases: Based on analyses of the Court's case processing performance for FY2007, the Juvenile Division began closely examining how the Court processed TPR cases. Consequently, several new measures were implemented to assist the Court in monitoring these cases.
 - Scheduling Hearings now occur on the record instead of in the judge's chambers. Also, instead of waiting for all objection periods to conclude (for example, in cases where a parent is served via publication), Scheduling Hearings are set prior to these drop dates.

Setting Scheduling Hearings earlier in the life of the case is a proactive measure by the Court to complete cases within statutory timeframes.

- Service/Status Hearings now occur bi-weekly on Fridays at 9:30 a.m. on the Duty docket.
- Beginning in January 2008, the Supervising Juvenile Case Manager and a designated County Attorney hold a weekly meeting to discuss service status-related issues in TPR cases.
- Mediation Status Hearings are now scheduled when a case is set for Permanency Planning/TPR Mediation. The setting of Mediation Status Hearings provides an opportunity for the parties to come before the court without filing a motion. This saves time and resources for attorneys involved in the case. If the parties reach an agreement during mediation, the status hearing enables them to appear before the Court and place their agreement on the record.

All of these initiatives established to better monitor TPR cases were discussed with representatives of the CINA bar during its regularly scheduled Bench Bar meetings. In fact, the setting of Service/Status hearings and Mediation Status Hearings were the direct result of discussions among the CINA stakeholders.

Based on an analysis of case processing performance, TPR performance improved dramatically since FY2007. The percentage of cases closing within the time standards increased from 42% in FY2007 to 61% in FY2008 and then to 95% in FY2009. The marked improvement in case processing performance between FY2008 and FY2009 is believed to be the direct result of the efforts outlined above as well as those undertaken by external agencies such as the Office of the County Attorney, the Department of Health and Human Services, and the Sheriff's Office.

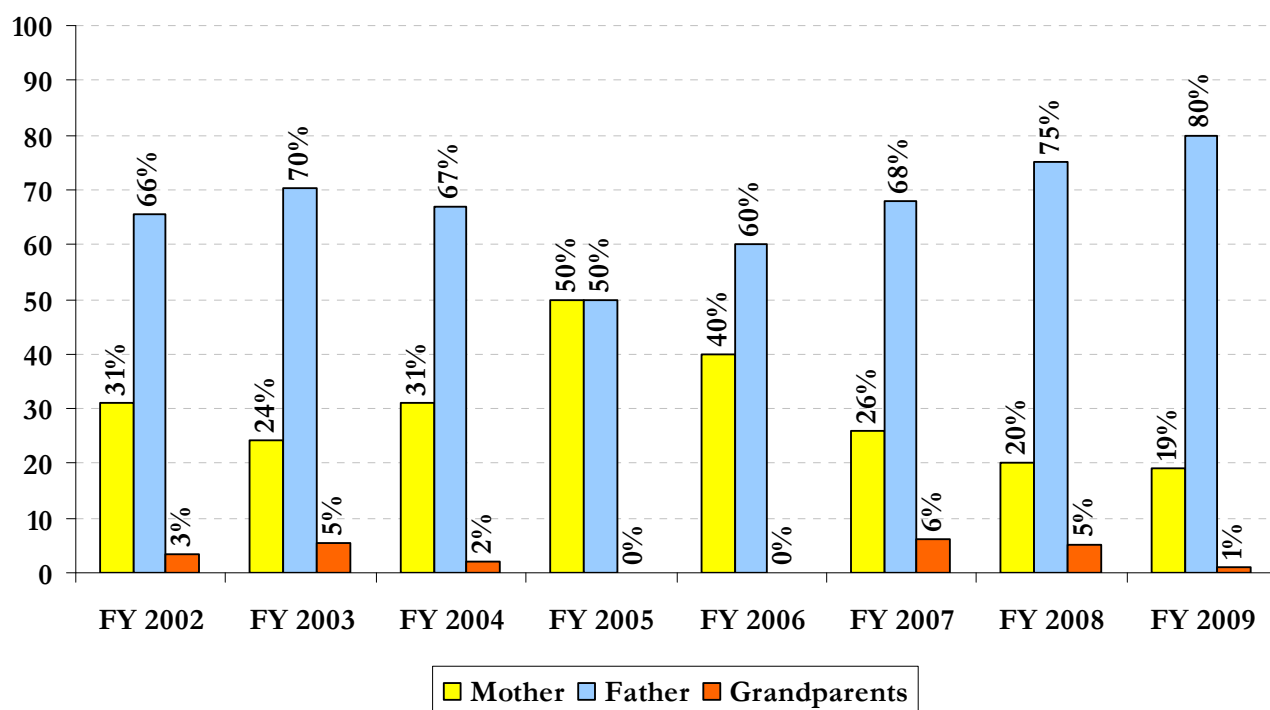
Key goals for the Juvenile Division in the coming fiscal years include:

- Improving the efficiency of Juvenile cases. The Division is striving to close all CINA and TPR cases within their respective time standards. While improvements have been made in the processing of TPR cases between FY2008 and FY2009, performance declined for the processing of CINA cases. The Court is currently reviewing its processing of child welfare cases to address any inefficiency gaps.
- Revision of the Juvenile Differentiated Case Management (DCM) Manual to reflect current practices, policies and docket structures, all of which are designed to support the goals of the Family Division and the requirements of the law.

Supervised Visitation

Since FDS first introduced a supervised visitation program in spring 2001, the focus of this program has continued to be the development of a supervised visitation plan to provide a structured setting for visitation between children and their parents. This program is critical for families served by the FSD for whom, drug, alcohol, and physical abuse; mental illness; reunification of parent and child; or concerns about absconding may be at issue. The program is often at capacity and maintains a waiting list. Up to twelve families participate in a visitation session every other week, with sessions scheduled each week at a facility with, among other security measures, a security guard. As displayed in Figure 5, fathers appear to utilize the visitation program most often compared to grandparents and mothers. Use of supervised visitation among fathers reached its highest level in FY2009 since the Family Division reporting this information in FY2002.

Figure 5 Parties Utilizing Supervised Visitation, FY2002-FY2009



Supervised visitation is, however, not a long-term solution for families as there are inherent limitations to the structure of such a program. For instance, supervised visitation results in relatively short visits lasting only one hour and fifteen minutes, and visitations occur inside the Court limiting the nature of the activities that can be undertaken between parent and child. In FY 2003, to help families move away from supervised visitation, the Court collaborated with Family Trauma Services, Inc. to institute a “step-down plan” designed for reunification cases that had been in the program at least three months.

The step-down plan consists of six phases, and each phase of the plan includes at least two visits with a diminishing degree of Court supervision at each phase. The supervising monitor present during the visits determines when it is appropriate for the parties to advance to the next phase. The Court's goal in developing the step-down plan is to facilitate the visitation process and reduce the dependency on supervised visits while at the same time not compromising the child's safety or emotional well-being.

Family Division Services also refers cases to two additional community resources as an alternative to the Supervised Visitation Program. These community resources provide low-cost visitation services to parties and supervision is conducted by a panel of laypersons interested in helping estranged families meet for the mutual benefit of spending time with their children.

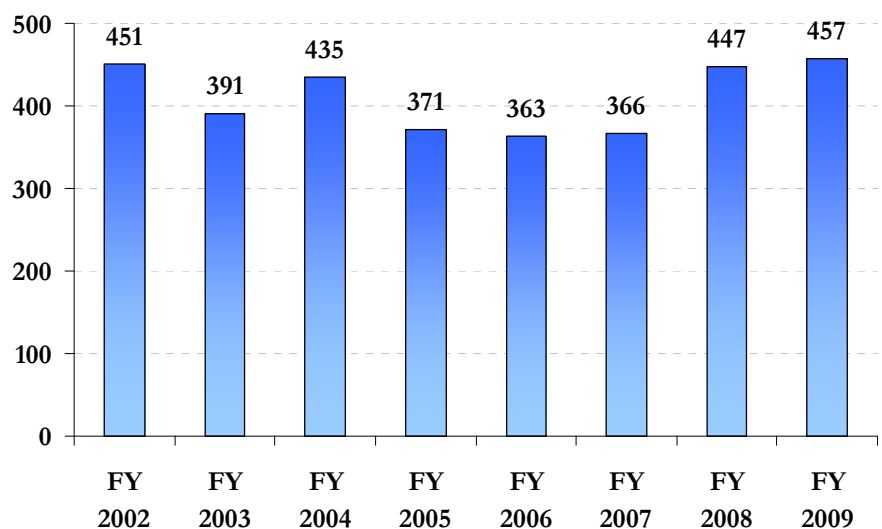
Facilitator Program

The Facilitator Program serves litigants before the Court's Family Division and continues to be staffed by experienced practicing attorneys who make themselves available to assist in the settlement of cases at an early stage of the proceedings. By resolving or narrowing some issues, the facilitators help to conserve the judicial manpower hours expended for those cases. Potential cases suitable for facilitation are identified by the Family Division Masters at the scheduling conference and referred to the facilitator, who is available in the courthouse for immediate assistance.

The Facilitator Program, which has proven highly successful, is a relatively inexpensive service provided by experienced members of the Family Bar. Figure 6 presents the number of cases referred to the Facilitation program between FY2002 and

FY2009, which decreased from 451 to 366 between FY2004 and FY2007. However, it bounced to 447 in FY2008, equivalent to the FY2002 level and then increased slightly to 457 in FY2009. Of the 457 cases referred in FY2009, 284 cases (62%) reached a settlement of the issues, and 78% of which reached a full settlement.

Figure 6 Number of Cases Referred to Facilitator Program, FY2002-FY2009



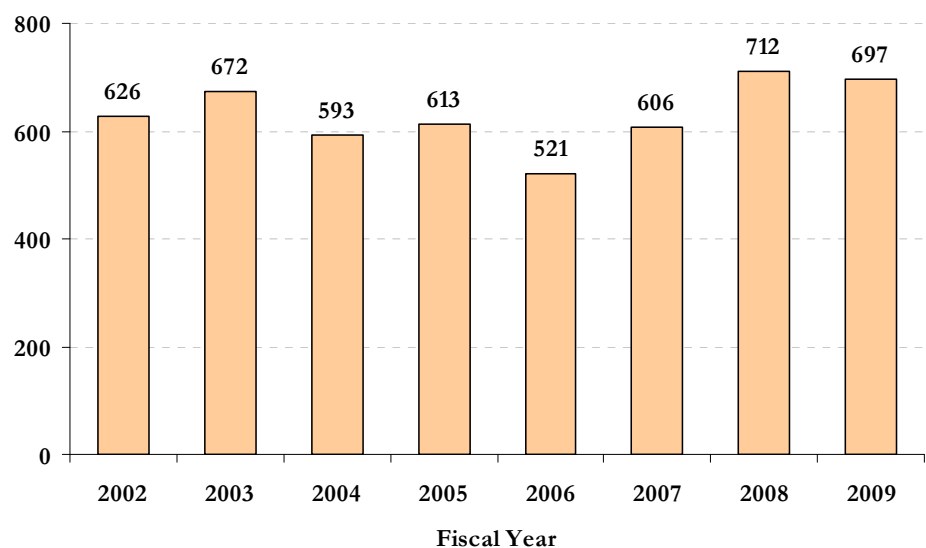
Domestic Violence Assistance

In October 1999, FDS created a Domestic Violence Assistance (DVA) program to provide organized, consistent services to families who are in-need. The mission of the program is to address abuse issues and victim safety for spouses and intimate partners of the offender. Grant funding from the Administrative Office of the Courts supports staff positions for the program, which currently consists of two full-time attorneys, one of whom is a Supervising Attorney. Currently, all staff are supported by the House of Ruth.¹⁰ As Figure 7 indicates that domestic violence filings dipped slightly to 697 in FY2009, compared to FY2008 (712 filings) though well above the FY2004-FY2007 levels. Of the cases filed in FY2009, 69% were original filings with the Circuit Court, 22% were transferred from the District Court, and 9% were District Court Appeals.

The DVA staff conducts a needs assessment and an in-depth intake interview and, based on the information obtained, will recommend a variety of services including but not limited to safety planning, advocacy, and case preparation. If deemed necessary, the program's counsel will

represent victims of domestic violence at Protective Order, contempt and modification hearings in the Circuit Court, as well as in a limited number of cases in the District Court. During FY2009 the House of Ruth staff served 720 clients, and appeared in court 340 times on behalf of 235 clients for a variety of reasons including cases requiring protective orders, appeals, peace orders, *ex parte* hearing accompaniments, modifications, civil contempt and criminal accompaniments.

Figure 7 Number of Domestic Violence Cases Filed, FY2002-FY2009



¹⁰ Additional information on the organization is available from <http://www.houseofruth.org/>

Jury Commissioner's Office

The cornerstone of our American justice system is trial by jury, and this is a right guaranteed by the Constitution of the United States. The Montgomery County Circuit Court Jury Commissioner's Office provides potential jurors with information regarding jury selection, juror responsibilities, and basic information about the jury process such as the length of service and the types of cases that may be heard by jury trial. Working with the Court's Data Processing Department, the Jury Office is responsible for selecting potential jurors and keeping track of jury statistics.

The Jury Commissioner for Montgomery County Circuit Court is Maria G. Vogel, who has been in this position for the past 3 years. The roles of the Jury Commissioner include ensuring that the jury process runs smoothly, that the jurors fully understand their responsibilities, and that jurors' experience at the Court is as pleasant as possible. The process of jury selection entails selecting potential jurors, notifying them that their service is being requested, providing a brief orientation of their responsibilities prior to *voir dire* (i.e., the questioning process undertaken by the judge and lawyers to determine suitability for juror participation in the trial), and ensuring that all financial remittance is provided for jury service. The Jury Commissioner and her staff work together to ensure that all processes related to jury service are handled effectively and efficiently.

To perform jury selection, the Jury Commissioner's Office maintains a list of possible jurors, comprised of Montgomery County residents who are licensed Maryland drivers, registered voters, and/or identification card holders. Each year, the Administrative Judge begins a process of randomly selecting 80,000 potential jurors from this list. Throughout the year, these potential jurors receive a Juror Questionnaire to establish whether she/he is qualified to serve as a juror in Montgomery County. A person at least 18 years of age who is a US citizen and is a resident of Montgomery County is eligible for jury service in Montgomery County. Those with severe mental or physical problems may be excused from jury service by providing the Court with a health professional's certificate. Also those who are 70 years of age or older can request to be excused from the service. While a request to be excused from jury duty for other reasons such as child or elder care and occupation is not accepted, the Court has a fair and equitable deferment policy to accommodate an individual's personal situation in most circumstances.

Jurors perform a vital role in our judicial system. Jurors are expected to listen to all the evidence presented at trial and determine the outcome of the case. The vow made in the juror's oath to help decide the case fairly and impartially should not be taken lightly. The Jury Commissioner's Office understands the importance of the juror's role and service to the Court. Therefore, the Office is committed to ensuring

that processes and procedures related to jury service are easily accessible and clearly understood. The following efforts have recently been undertaken by the Jury Commissioner's Office to facilitate jury service:

- Prospective jurors may now check on-line as to whether they need to report to the Court for jury service the day before their summoned date at the Court's [Juror Call-In web site](#):
- The Jury Commissioner's Office has revised the juror summons to ensure that the details related to jury service are clear and informative.
- Upon receipt of the Jury Questionnaire, the potential juror has the ability to fill out the questionnaire on-line ([On-line Juror Questionnaire Form System](#)). The website is also printed on the questionnaire.
- High-speed wireless internet service is available in the Jury Lounge as well as throughout the courthouse. Court-owned computers are also available in the Jury Lounge for potential jurors' to use while waiting to be sent to a courtroom.
- A jury exit questionnaire has been developed to obtain information on the juror's experience at the courthouse. The information obtained from the jury exit questionnaire is reviewed and analyzed to sure that the needs of the jurors are being met.
- The Jury Commissioner's Office has recently updated its jury service video, which provides members of the jury with insight into what to expect from jury service in Montgomery County Circuit Court (See the text box entitled "*MEMBERS OF THE JURY*" on page 31).

During FY2009 Montgomery County Circuit Court summoned ("Summoned") over 47,000 individuals for jury trials. Of the summoned jurors, 54%, or 25,500, were actually requested to appear at the Court on the day of trial. Slightly over 20,000, approximately 80%, of those requested to appear, actually came to the Court. Figure 8 presents the number of individuals who were summoned, those who were requested to appear at the Court ("Call-In") and those who actually came to the Court on the day of trial ("Present") for FY2000-FY2009. While the number of 'Summoned' jurors increased from 41,000 in FY2000 to close to 57,000 in FY2005 and then declined to 47,000 in FY2009, the 'Call-In' trend gradually increased from 22,000 to 26,000 with a dip in FY2007. Jury utilization, which is represented as the percent of 'Call-in' over 'Summoned', declined from 54% in FY2000 to 41% in FY2004 and FY2005, and then increased to the FY2000 level by FY2008, indicating that the Court has become more efficient in estimating the number of individuals actually required for trials. While the number of 'Present' closely follows that of 'Call-In' for the same period; the gap has slightly

increased in recent years; the percent of ‘Call-In’ individuals who actually came to the Court on the day of trial declined from 82% in FY2000 to 74% in FY2008 though it rose to 79% in FY2009.

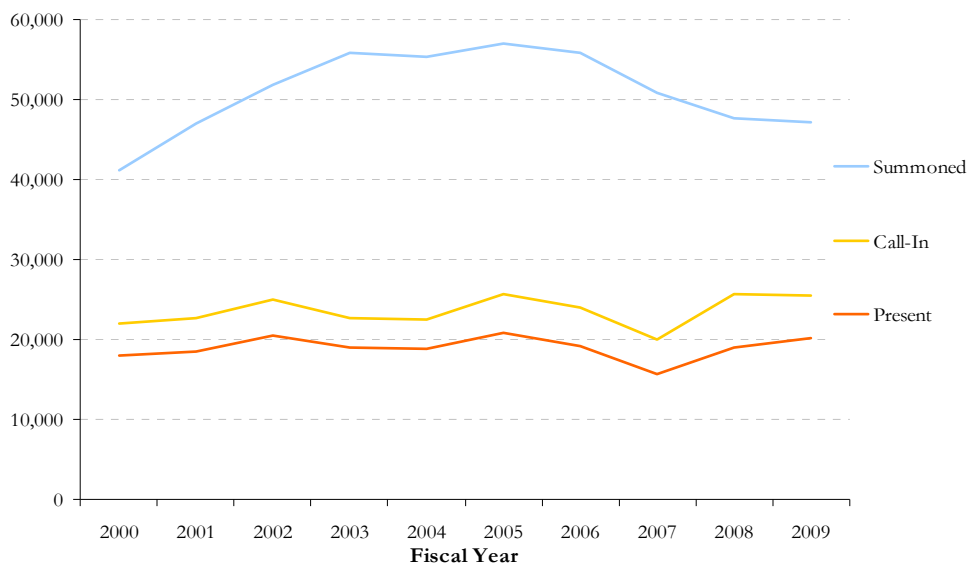
Another way to measure the efficiency of jury management is to calculate the percent of jurors present on the day of trial who actually went to voir dire. In

FY2009, 59% of potential jurors experienced voir dire. While this percentage is slightly lower than the FY2008 level (63%), it is much greater than that of the FY2003-2007 when it was 50%, on average.

As part of its efforts to improve jury management,

Montgomery County Circuit Court is currently reviewing its jury information collection procedures to more accurately measure the Court’s jury utilization.

Figure 8 Numbers of Individuals who were Summoned, Called In, and Present at the Court, FY2000-2009



MEMBERS OF THE JURY

Montgomery County Circuit Court's New Jury Information Video

As part of its jury service improvement efforts, the Montgomery County Circuit Court recently introduced a new jury informational video. The video, entitled "Members of the Jury," stars several Court personnel as the courtroom clerk, the defense attorney, jurors, and the witness. It also features a Montgomery County Circuit Court Judge playing the role of the judge in the video. The video also stars a State's Attorney as the prosecuting attorney and a deputy as the bailiff. A goal of the new video is to make the performances as true to life as possible. In addition, the video is professionally narrated in a way that appropriately conveys the important roles and purposes of the American justice jury system. The video, which was first premiered on September 30, 2009, is shown to potential jurors as part of the Courts' jury orientation.



Department of Technical Services

The mission of the Department of Technical Services at Montgomery County Circuit Court is to provide Circuit Court staff and the public with the best information technology and services available through making efficient use of its available resources. As such, the Department performs several of the Court's key support functions. One function is to ensure that all proceedings are properly recorded as part of the official record, and that these records are also made available to the public. Streamlining court processes and procedures through technical solutions enhance case processing performance and court management, more generally. The Department is also charged with maintaining the Court's various information systems including telephone and video-conferencing equipment, data file servers, personal computers, computer networks, and other audio visual equipment used in the courtroom. The Technical Services Department recognizes not only the value in collecting case information for accountability purposes but also using that information to inform management decisions such as informing future judgeship and personnel needs.

The Department consists of 10 full-time administrative and Information Technology (IT) professionals who are responsible for addressing the Circuit Court's technical service needs and for providing public services, courthouse services, and court recordings. Public services focus on primarily providing transcripts and audio compact disks (CDs) but also include renting a variety of audio-visual equipment for use in courtrooms and hearing rooms. Since 1995, the department has been under the leadership of David B. Seeman, Chief of the Technical Services Department. Mr. Seeman oversees daily operations of the Court's information technology, including ensuring that the Court's network servers, case management systems, and technical equipment run efficiently and effectively. Mr. Seeman plays a vital role in ensuring the security of the Court's information systems and networks through on-going development of security policies and standards.

The Technical Services Department has recently implemented several new projects including the ability to support credit card transcript transactions. The Department signed an agreement with M&T Bank Merchant Services to implement a credit card payment system for transcript transactions. Patrons are now able to purchase court transcripts, audio CDs, and audio-visual equipment using cash, check, and credit card. The Department has also instituted several "green" initiatives aimed at supporting a paperless work environment. For instance, the Court is now scanning all of its employee leave requests, daily case assignment sheets, jury questionnaires, quality control reports, and Court Evaluator and Mediator reports.

Efforts are also currently being undertaken to scan all case files requesting an appeal as these case files need to be sent to Annapolis for review by either the Court of Appeals or Court of Special Appeals.

The Technical Services Department is committed to providing superior customer support to our user community through the implementation and integration of technology in ways that address the Court's business processes. In fact, the Chief of the Technical Services Department, David Seeman, attended the National Center for State Courts (NCSC) - Court Technology Conference (CTC) in Denver, Colorado in September 2009 and identified several new technical solutions to improve the Department's mission. Specifically, through the use of Xcelsius software, staff is able to develop interactive, visually stimulating statistics highlighting court case processing performance and workload statistics (see page 36 for more information).

For more than 25 years, the Court has electronically recorded all courtroom proceedings including those from Civil, Family, Equity, Criminal, Juvenile, District Court Appeals, and

Register of Wills cases. The *CourtSmart* system, which is a digital recording system

implemented at the courthouse in 2002, allows the Court to constantly monitor court proceedings, perform real-time verification of courtroom events, and record and maintain the proceedings with vastly improved sound quality. In addition, *CourtSmart's* storage and retrieval flexibility of archived media enables the Department to offer new services such as rapid search on court proceeding files, which ultimately expedites the transcript request process. Information digitization via *CourtSmart* also enables the Court to provide court proceedings in compact disks.

The Technical Services Department has been able to develop creative technical solutions to meet the needs of the Court and the wider user community. The Department's continued commitment to service remains a critical factor in its overall mission.

During FY2009, the Technical Services Department launched several new initiatives to improve the Court's case processing performance, as well as to enhance the public's access to the Court.



Technical Services Department, Room T18, Judicial Center

Violation of Probation Requests

The Montgomery County Circuit Court's Technical Services Department along with the Circuit Court Judges, the State's Attorney's Office, and the Division of Parole and Probation implemented a new system to efficiently handle Violation of Probation (VOP) requests. In the past, the Division of Parole and Probation would send the VOP request to the Court through the mail. Once received, a clerk in the Criminal Department would enter the request information into the Court's case management system, and then the VOP request along with the associated case file would be delivered to the appropriate Judge for review and ruling. Unfortunately, this process proved to be very time consuming, cumbersome, and prone to error since it required the transmission of written documents across several organizations and manual data entry of the information by Court staff prior to delivery of a VOP request to the designated Judge.

The new procedure, which was implemented to minimize inefficiencies in case processing performance, has expedited the time required to render a decision on a VOP request. Specifically, the new procedure requires the Division of Parole and Probation to electronically send the VOP request along with the warrant/summons and case information sheet to the e-mail accounts of the designated Circuit Court Judge and the State's Attorney's Office. Once the Judge reviews the documents, he/she will edit the documents as necessary, sign the warrant/summons, and render a decision on the VOP request. In order to ensure that this process is efficient and effective, all documents received electronically are to be pre-populated with information provided by the Division of Parole and Probation including case name, case number, and jurisdiction. Further, once the documents are received and opened, the Judge simply tabs through the documents' data fields and enters information where appropriate. Upon completion of the Judge's review, the documents are saved, printed, and signed. A reply e-mail is sent to the Division of Parole and Probation and the State's Attorney's Office to inform them of the Judge's decisions. The signed warrant/summons (if ordered) and/or the information sheet are attached to the case file and delivered to the Court's Criminal Department for processing, which includes providing a custodial copy of the Order, Warrant or Summons to the Sheriff's Office. The final step in the process is for the Criminal Department to make a copy of the VOP-related documents and send them to the Division of Parole and Probation and the State's Attorney's Office. This new VOP request procedure has positively impacted not only how fast VOP requests are received by the Court but also how quickly they are reviewed and processed. As such, the overall efficiency and accuracy of the VOP request process has improved.

Docket Entry Restructuring Project

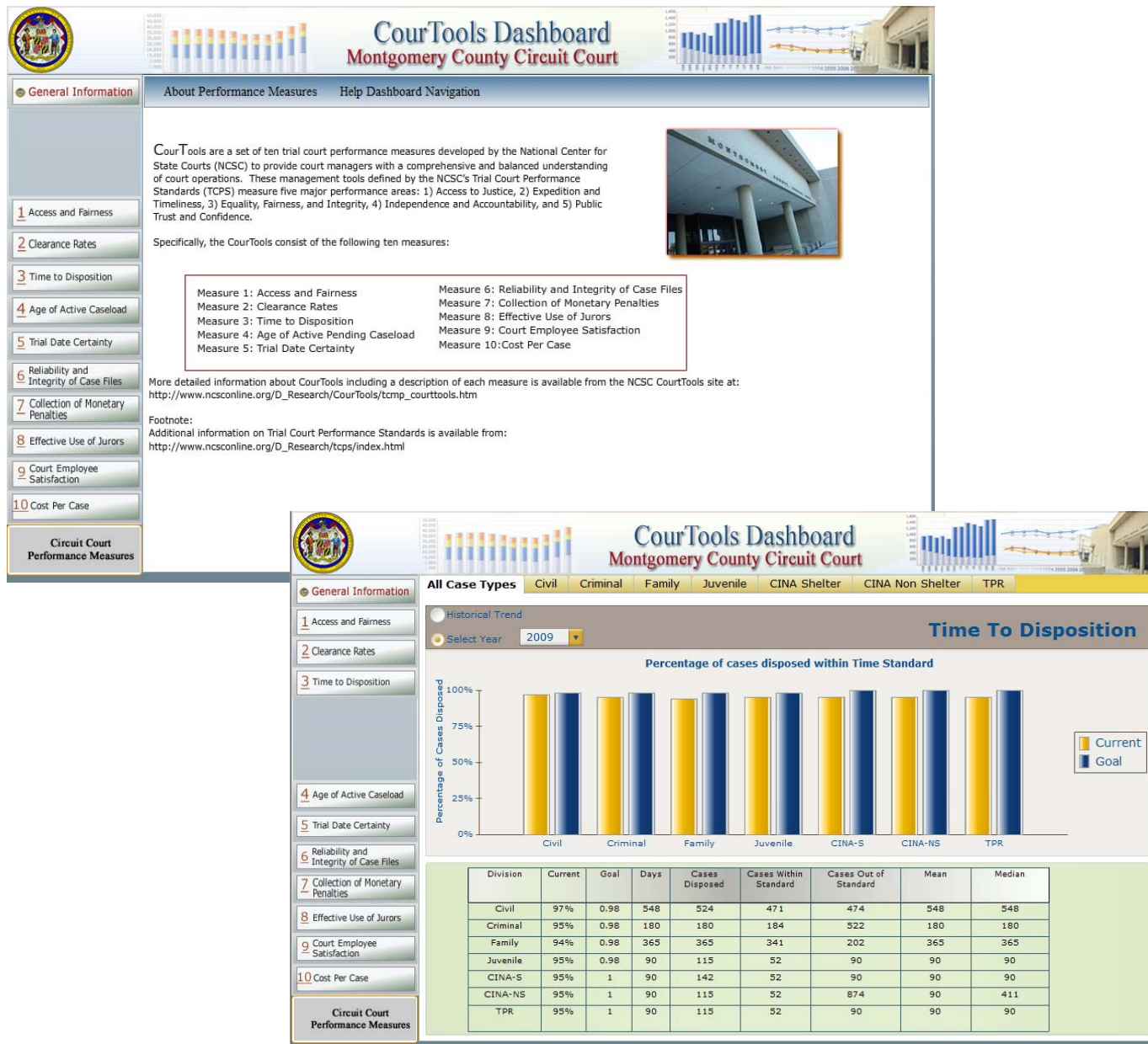
The Technical Services Data Processing Unit has undertaken an effort to modernize the Circuit Court's docket (data) entry procedures through updating the underlying software. This docket entry restructuring project has helped to not only streamline data entry procedures performed by the Clerk of the Court's Civil, Family, Criminal, and Juvenile Departments, but also improved the integrity of the Court's case information. For instance, in the past, three separate programs were required to capture case-related information. These separate programs have now been consolidated into a single program with a variety of supporting applications. Due to the consolidation of these programs, the Clerk's Office is more easily able to cross-train employees as there is only one program used to support data entry procedures.

In fact, some of the previous docket entry programs were developed several decades ago and had been modified repeatedly by the Data Processing Unit. The arcane data system combined with numerous updates ultimately made these products increasingly cumbersome to maintain and use. For instance, these programs had a large number of data fields that were unnecessary or no longer applicable to the majority of docket entries performed by the Clerk's staff. The new consolidated program has been developed in a way that streamlines the data entry process. Specifically, on the main screen of the program, the Clerk's staff enter the key characteristics of a given docket entry. Depending on the characteristics entered, the program will display additional screens, which allow staff to further describe the activity being recorded. By only displaying those data fields pertinent to the activity being recorded, staff is able to make more efficient use of their time in docketing case information. Further, the consolidated program uses modern technical standards for internal organization, readability, and maintainability. As such, the current docket entry program is much more reliable and efficient.

In addition to the Clerk's Departments, the Data Processing Unit has also been able to improve its performance through the installation of this consolidated docket entry program. For example, only needing to adjust one program when modifications are necessary is much less time-consuming and efficient than needing to adjust three separate programs. Programming staff is also now better able to track several types of activity that relate to motions filed in the Court. These types of activity include multiple oppositions for a single motion, vacated rulings, second rulings on a motion after the original ruling was vacated, motions deemed moot by subsequent recorded activity, and amended motions. This program has further improved programming staff's ability to more effectively answer questions regarding the disposition of motions, and ensure better accountability for motions receiving a disposition by the Court. The Technical Services Department through its Data Processing Unit is committed to developing applications that support and streamline the docket entry procedures of Department staff.

Montgomery County Circuit Court Website – Update

As noted in the last annual report, the Court revamped its website and rolled out a new website. As part of its continuing efforts to improve public access to the Court, the Technical Services Department is currently developing a case processing performance dashboard (see below its home page), which visually displays the Court's key performance measures on a single screen for a quick review. The dashboard will also allow users to obtain additional, more detailed case processing information, if needed.



Montgomery County Circuit Court CourtTools Dashboard Home Page (concept)

Land Records Division

The Land Records Department handles all matters relating to real estate transactions. The Department holds some of the most important records created by the government, which date as far back as July 1777. These land records are publicly accessible at the Department (Room 212, Judicial



Center) as well as electronically through the internet. The Department's Public Information Room contains all instruments (i.e., documents) related to land transactions recorded in the Department including land, financial statements, corporation, condominium plats, sub-division plats, liens, and judgments. The Department also has 28 computers available for public use. By using the indexes and computers located in the Department, patrons can identify the instruments that they wish to view. In addition, the Department also offers the following services:

- Duplication - Copies (including certified copies) can be made by the Duplication staff of any documents located in the Land Records Public Information Room. The staff can also provide triple seals of any instruments recorded in the Land Records Department.
- Indexing - All land records located in the Land Records Department are indexed by the name of the individual appearing on the document (i.e., grantor-person selling or giving, grantee-person buying or receiving), the liber and folio, and the type of document. All names are indexed alphabetically.
- Imaging - Images of all land record transactions are created using a scanning system, and digital images are available to the public.
- Recording - Deeds, deeds of trust, leases, assignments, powers of attorney, etc., are recorded in the Land Records Department. Immediately after receiving a document, the recording clerk calculates the fees and taxes, and the document is stamped to indicate the day and time of filing.

Patrons may also obtain access to electronic images of the land record instruments in Montgomery County, as well as other counties in the State of Maryland through www.mdlandrec.net, which became available to Montgomery County residents in November 2006.



The Circuit Court's Land Records Department is now able to store all documents off-site at the Maryland Archives. Off-site archival helps alleviate space constraints experienced by the Court. For more information about the Circuit Court's Land Records Department including fees and how to record a deed, please access [the Court's Land Department homepage](#).

MDLandRec.NET

MDLandRec.NET was created from a partnership among the Maryland Judiciary, the 24 elected Circuit Court Clerks, and the Maryland State Archives to provide up-to-date access to all verified land record instruments in Maryland. This service is currently being provided at no charge to individuals who apply for a user name and password. The advantages of having land records available via the internet include:

- All of the indexes and land documents are online, eliminating the need to browse large, heavy books of records.
- Land records may be accessed from home or at the office.
- Ability to search land documents using a variety of search criteria.
- Any errors found may be reported to the Maryland State Archives help desk and are corrected within a few days, sometimes the same day. The errors are corrected by Land Record staff unless it is an image error.

Law Library

A public, professionally staffed law library is located at Montgomery County Circuit Court. The mission of the Library is to support legal research activities of the Court, the Bar, and the public. As of FY2009, there are two full-time and two part-time staff available to provide assistance to library patrons.

The library has a comprehensive collection of legal resources, including U.S. statutes, all state statutes, and local ordinances. In addition, the library has a complete collection of state and federal judicial opinions and a variety of subject treatises and reference materials. The Law Library also offers free access to the major on-line legal databases in the library's computer lab.

Key activities offered by library staff include: providing legal reference for the public and court staff; maintaining each judge's library; maintaining the library conference room reservation system for attorneys and court personnel; building and maintaining the Maryland and Montgomery County Legislative History collections; developing a preservation program for the Court's printed and online material; and networking with other libraries and associations.

For FY2009, 144 patrons on average visited the Law Library per day to use its services and/or to use one of the eight conference rooms. These rooms are heavily used; on most days every room is booked for at least half a day.

The key goals of the library in the coming fiscal years include:

- Developing legal research training programs for court employees, the law clerks, and the public,
- Redrawing the library map and improving signage,
- Reviewing its collection to ensure its compliance with national and state law library standards,
- Improving the collection and analysis of library statistics,
- Cataloging the library's art collection,
- Continuing to improve the self-help collection and services, and
- Chairing the Conference of Maryland Law Library Directors and working with that group to improve libraries and access to justice.

Library Services

The library offers the following services for patrons:

- Reference
- Computers (with legal databases and internet)
- Photocopies
- Phones and Facsimile
- Conference Rooms
- Wireless Internet Access



Featured Activities of the Circuit Court

Montgomery County Family Justice Center

Montgomery County now has a comprehensive, one-stop center for victims of domestic violence and their children. The Montgomery County Family Justice Center (MCFJC), a full-service center located on the fifth floor of the “Eagle building” located on Jefferson Avenue in Rockville officially opened its doors on May 18, 2009 after two years of planning, advocacy work and inter-agency coordination and cooperation under the leadership of Montgomery County Sheriff’s Office. The MCFJC houses a multi-disciplinary team of professionals who provide comprehensive services to victims of family violence including crisis counseling, safety planning, pro bono and immigration attorney services, and the opportunity to talk with police and prosecutors in a seamless, efficient manner.

Prior to its opening, the MCFJC received a \$60,000 grant from the *Verizon Wireless Hopeline Program* to build a teleconferencing network between the facility and courts, making Montgomery County among the first jurisdictions in Maryland and in the U.S. to provide video-conferencing between the courts and domestic violence victims. Currently, the installment of the video-conferencing equipment and wiring are underway, and the network is scheduled to be operative in early 2010. In addition, the Office of Court Research and Development, the Administrative Office of Courts, Maryland Judiciary is currently undertaking an evaluation of this video-conferencing initiative to review its effectiveness and feasibility for use in other jurisdictions across the state. For additional information on the MCFJC is available from the County Government’s [MCFJC page](#).



Montgomery County Circuit and District Court Domestic Violence Workload Statistics

Table 1 displays the total and average number of domestic violence case filings (original and reopened) for Montgomery County Circuit and District Courts for FY2005 through FY2009. Since FY2005, the number

of domestic violence filings increased by 18% for the Circuit Court whereas for District Court filings have increased by 19%. The Circuit Court has processed approximately 25% of all the domestic violence cases filed per year whereas the remaining 75% of the caseload was processed by the District Court. On average, the Circuit Court handled approximately 50 to 60 domestic violence filings per month between FY2005 and FY2009. The District Court handled between 143 and 170 domestic filings per month, on average during the same reporting period.

Table 1 Total and Average Number of Domestic Violence Case Filings (Original and Reopened) for Montgomery County Circuit and District Courts, FY2005-FY2009

	FY2005	FY2006	FY2007	FY2008	FY2009
Annual Filings					
Circuit Court	591	606	605	712	697
Original Filings	517	520	493	521	484
District Court Transfers	4	17	43	103	152
District Court Appeals	70	69	69	88	61
District Court	1,712	1,820	1,810	1,937	2,029
Total	2,303	2,426	2,415	2,649	2,726
Average Monthly Filings					
Circuit Court	49.3	50.5	50.4	59.3	58.1
District Court	142.7	151.7	150.8	161.4	169.1
%Circuit	26%	25%	25%	27%	26%

Montgomery County Circuit Court Data: Montgomery County Circuit Court, Data Processing Dept. (DVSTATS2, obtained 12/11/2009)

Montgomery County District Court FY2005-09 Data: District Court of Maryland - Domestic Violence and Peace Order Activity Report, (obtained from <http://www.courts.state.md.us/district/about.html#stats>)

Montgomery County District Court FY2010 Data: Administrative Office of the Courts, Court Research & Development, 12/4/2009)

FJC Data: Family Justice Center (obtained 12/8/2009)

Montgomery County Circuit and District Courts are the primary vehicles by which legal resolution is achieved in domestic violence disputes. That said, county residents often look to the courts for non-legal assistance in addressing these situations. While in the past, the courts have fulfilled that role by working in coordination with the House of Ruth, it is anticipated that the MCFJC will take the lead in offering information and non-legal services to residents involved in such situations. The Circuit and District Courts along with the Sheriff's Office and the MCFJC are in close collaboration to ensure that county residents have the information and direction needed if a determination is made to file a domestic violence case.

Civil Department: Foreclosure Tracking

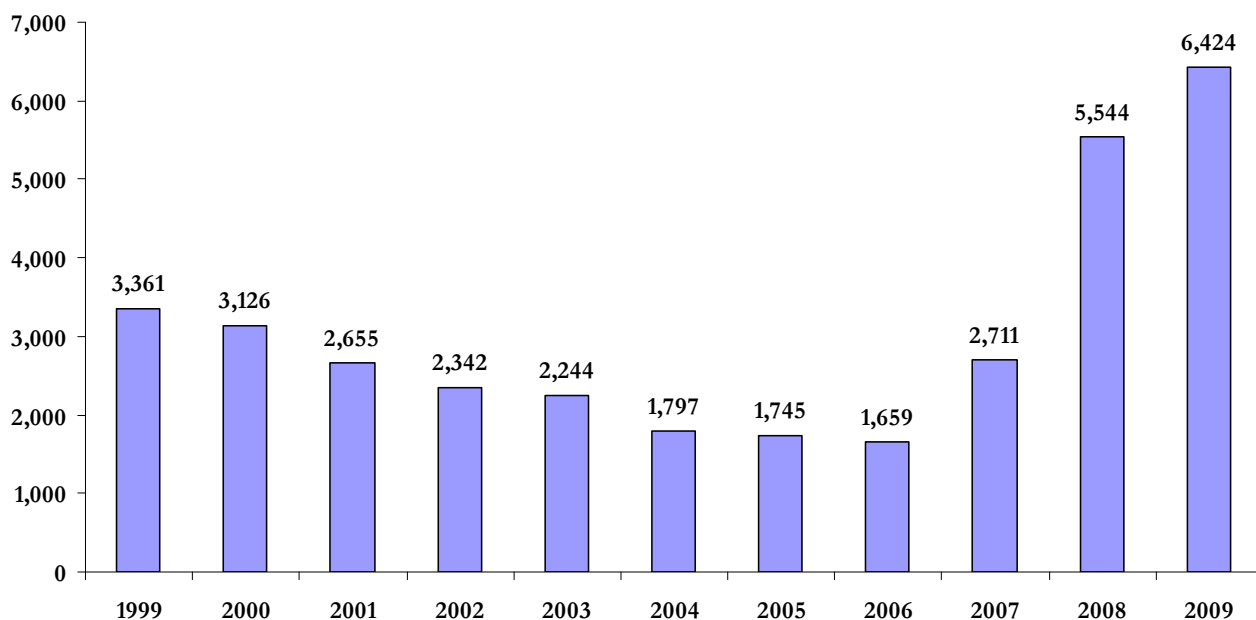
Foreclosure filings (original and reopened) at Montgomery County Circuit Court, which had been in decline between FY1999 to FY2006, experienced a sudden and large increase in FY2007. The filings increased between FY2006 and FY2007 by 65% from 1,659 to 2,711, and then increased further by over 100% to 5,544 between FY2007 and FY2008. A further increase in foreclosure filings was experienced between FY2008 and FY009 (16%) but the increase was markedly lower than what was experienced between FY2007 and FY2008.

In 2007, foreclosure filings were handled by a single court employee in the Court's Civil Department; however, in 2008, another employee was assigned to that desk to efficiently manage the volume of foreclosures being filed. By 2009, two additional employees were assigned to process the increasing foreclosure workload. In addition to assigning additional clerks to handle foreclosure filings, the Office of the Clerk of the Court has implemented several new procedures to ensure efficient civil case processing. For example, the Clerk's Office continues to cross-train employees from other court departments to assist the Civil Department in the processing of foreclosure cases. The Clerk's Office also has made available for distribution to the public a brochure developed by the Maryland State Bar Association to answer questions regarding foreclosure procedures (see text box for additional information).

Home Owners Preserving Equity (HOPE)

The Maryland State Bar Association has compiled publicly available information about home foreclosure. The public can access this information through brochures available at the Clerk's Office, the HOPE website (www.mdhope.org), or from the HOPE hotline (877-462-7555).

Figure 9 Montgomery County Circuit Court Foreclosure Filings, FY1999 – FY2009



New laws related to foreclosure filings implemented in May 2008 required that defendants be served with the “Order to Docket” packet that is eventually to be filed with the Clerk of the Court. Further, the Affidavit of Service upon the Defendant and the Affidavit of Default are documents that are to accompany the filing of a foreclosure case. Delays may exist in the processing of foreclosure cases when the appropriate documentation does not accompany the filing. As such, the Civil Department has worked tirelessly to not only ensure that the appropriate (accompanying) documents are filed but also to track the progress of cases currently in the system to ensure their efficient processing.

It is important to note that the Circuit Court has maintained its civil case processing performance at least at the FY2006 level over the past several fiscal years despite recent and dramatic increases in civil case filings. For example, according to the Maryland Judiciary’s caseload assessment standards, Montgomery County Circuit Court terminated 96% of civil cases within 548-days from filing in FY2009, which is at its highest level since the statewide assessment was initiated in Calendar Year 2001. While the Court has yet to reach the state goal of closing 98% of cases within-standard, its FY2009 performance is at least as good as or better than its previous performance between FY2005 and FY2008. Additionally, foreclosure case processing performance for FY2009 was 97%, indicating that the Court processed foreclosure cases as efficiently as its other civil cases. The Civil Department will continue to seek solutions to challenges that arise, and will work proactively to minimize the impact of such challenges. Further, the Court is highly aware of the potential challenges that impact efficient civil case processing performance. For instance, the Court’s ability to maintain its civil case processing performance may be due in part to some cases languishing in the system longer than anticipated due to an overwhelming foreclosure workload.

Processing Business and Technology Cases

In the late 1990s, information technology was identified as Maryland's largest economic impact cluster.¹¹ Specifically, Maryland's information technology industry added over 18,000 new technology jobs between 1993 and 1998 bringing the total employment attributable to the information technology industry to well over 100,000. In an effort to change the perception that Maryland is not "business friendly," the Maryland General Assembly in 2000 passed House Bill 15 establishing a Task Force to consider the feasibility of creating a specialized court function to oversee business and technology disputes. The Business and Technology Court Task Force, which was composed of a diverse group of individuals including judges, legislators, educators, lawyers, and business people, was charged to complete a study of the resources needed to enable the state's circuit courts to handle such disputes "in the most coordinated, efficient, and responsible manner, and to afford convenient access to lawyers and litigants involved in business and technology matters."

A Task Force Report was subsequently submitted to Maryland's Chief Judge who then assigned responsibility for implementing the Report's recommendations to the Conference of Circuit Court Judges. The Conference formed an Implementation Committee that made detailed and comprehensive recommendations in its Final Report and proposed New Rule 16-205 to establish a business and technology program that enables Circuit Courts to handle business and technology matters in a coordinated, efficient, and responsive manner. While in other states the establishment of business courts, divisions or programs succeeded in administering business disputes effectively without leading to unwarranted proliferation of specialty courts, the Task Force concluded that a specially trained judiciary instead of an independent specialty court was more appropriate to efficiently serve Maryland. The Task Force's proposal for a Business and Technology (B&T) Case Management Program is unique and innovative, and provides Maryland with the opportunity to shed its anti-business reputation while not damaging the integrity of the Judiciary. Having a court that has special business and technology competence and uses technology to administer its docket puts Maryland at the forefront of adaptation to the new realities of the Information Age.

The Montgomery County Circuit Court is one of the five circuit courts equipped with specially trained judges who are qualified to preside over B&T cases. Currently, the Circuit Court has two such "B&T"

¹¹ Circuit Court for Montgomery County, Maryland, *Civil Differentiated Case Management Plan*, July 2006.

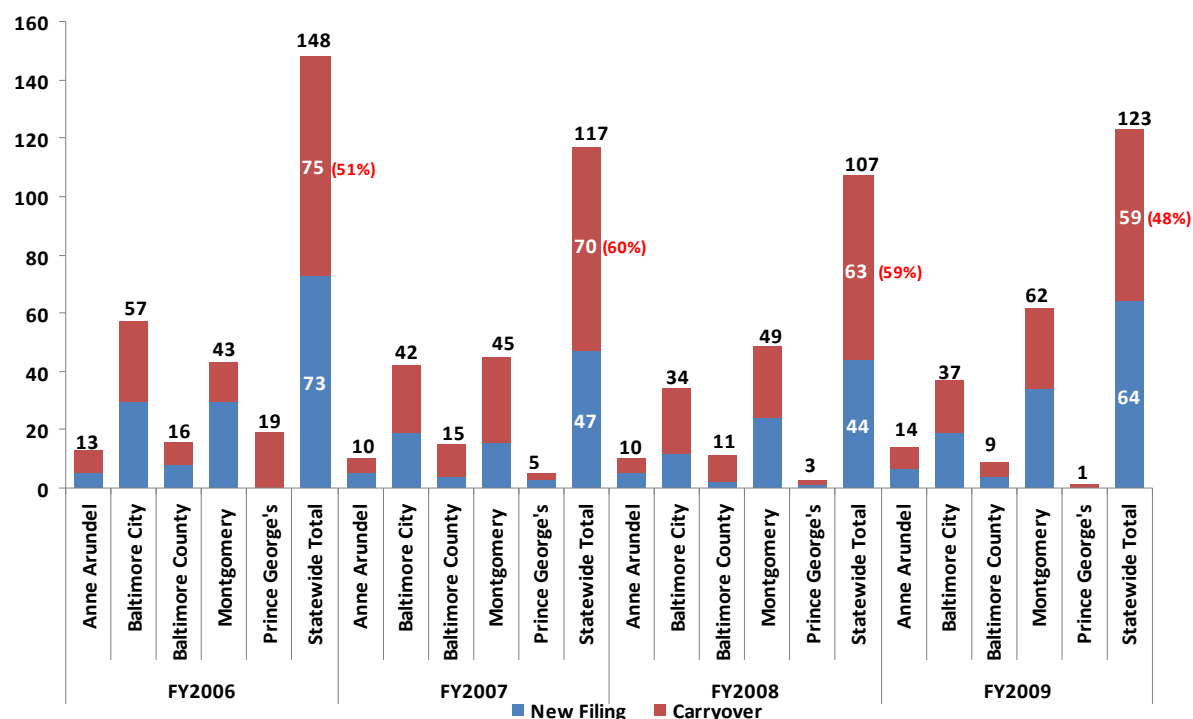
judges. According to the Maryland Department of Planning,¹² Montgomery County has by far the largest number of high-technology firms in the state; in 2006, 30% of Maryland's high-tech firms, which total over 14,000 were located in Montgomery County (4,300 firms), followed by Baltimore County (12%, 1,700), Anne Arundel County (11%, 1,500) and Howard and Prince George's Counties (10%, 1,400 respectively). The largest concentration within the County is in the Rockville-Gaithersburg-Germantown area along the I-270 corridor that runs from the Capital Beltway (I-495) to Frederick County. Other large concentrations in the County include Bethesda and Silver Spring, inside the Capital Beltway.

Cases involving these high-tech industries present unique challenges for courts in their ability to make judgments on these emerging technology and new business models while following legal precedents. Specifically, judicial decisions will have to look forward to the potential impact of technology, as well as back to established legal precedent. A preliminary analysis of Maryland's B&T cases from FY2006 through FY2009 overall and by jurisdiction¹³ indicates that Montgomery County Circuit Court has been one of the leading courts processing such cases. As shown in Figure 10, the total number of B&T cases processed in Maryland declined by 28% from FY2006 to FY2008 from 148 cases to 107 cases but increased by 15% to 123 cases between FY2008 and FY2009. When examined by entry status of the cases, 50 to 60% of the B&T cases were carried over from the previous fiscal year; the percent of carryover cases increased up to 60% in FY2007 and FY2008 when the number of new B&T cases filings declined. In FY2009, however, the trend reversed largely because of substantial increases in the number of new filings in FY2009 (20 additional cases from FY2008), resulting in 52% of the total number of B&T cases consisting of new filings. The number of new B&T filings, which declined noticeably from 73 to 47 between FY2006 and FY2007 increased back to 64 in FY2009. However, the total number of new B&T filings in FY2009 is still below (approximately 12%) that obtained in FY2006.

¹² Maryland Department of Planning, Planning Data Services, 2009. *Table 4. High-Technology Establishments in Maryland by County - 2006*. (http://www.mdp.state.md.us/msdc/CBP/HighTech_MD/2006/Htech_table4.pdf accessed 10/19/09)

¹³ The data was obtained from the Maryland Administrative Office of the Courts. It is important to note that the data is compilation of jurisdiction-reported data and therefore may include variations in data tracking and reporting. For example, it is not certain whether both original and reopened B&T cases are being captured and reported by all jurisdictions. Further, jurisdictions vary in their tracking of B&T cases as some courts may track these cases as 'complex' cases as opposed to specifically 'B&T'.

Figure 10 Total Number and Percent of Statewide and Jurisdiction-Specific B&T Cases by Entry Status (New Filing or Carryover), FY2006-FY2009

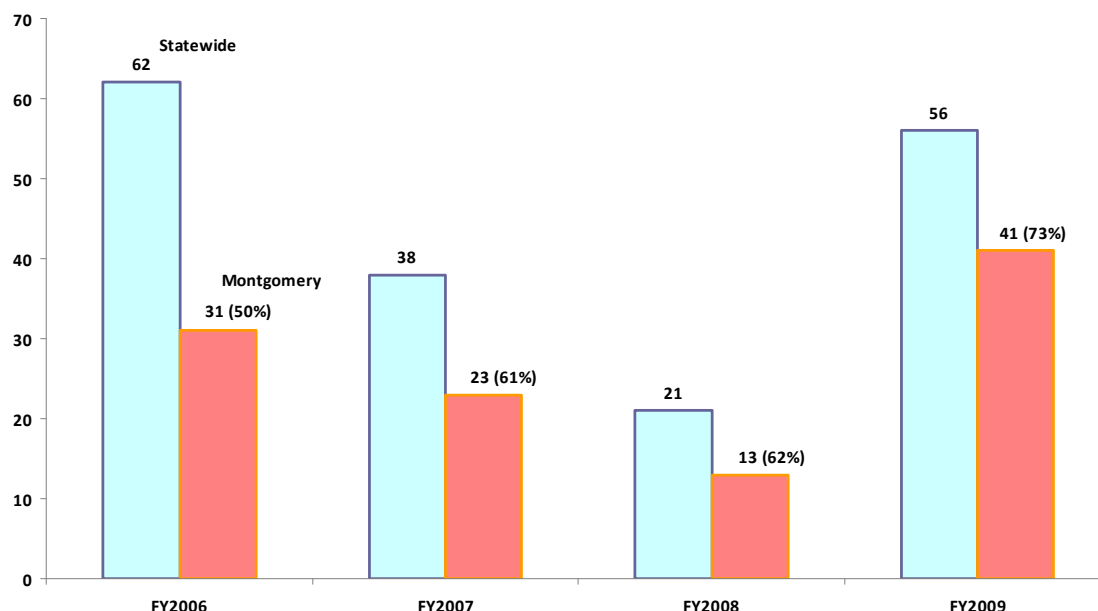


Data Source: AOC (2009)

The figure also provides the number of B&T cases by jurisdiction for FY2006-FY2009. Baltimore City and Montgomery County have consistently had the greatest number of B&T cases for the past four fiscal years. Baltimore City had the greatest number of B&T cases in FY2006 at 57 cases; however, Montgomery County has led the state in the number of B&T cases processed since FY2007 (52 cases on average between FY2007 and FY2009). In particular, for FY2008 and FY2009, 50% of the B&T cases in the state were originated in Montgomery County Circuit Court, reflecting the fact that the County has been one of the state's premier business and technology areas.

Figure 11 displays the total number of new requests for admission to the B&T Track statewide and for Montgomery County Circuit Court for FY2006-FY2009. The number of new requests for admission statewide follows a trend similar to the number of B&T cases processed as displayed in Figure 10; that is, a steady decline between FY2006 and FY2008 followed by an increase of over 100% between FY2008 and FY2009. The statewide FY2008-FY2009 surge in new B&T requests is largely the result of the increase in new requests filed in the Montgomery County Circuit Court where the number of requests more than tripled from 13 in FY2008 to 41 FY2009. In addition, the percentage of requests filed in Montgomery County Circuit Court increased from 50% in FY2006 to 73% in FY2009. This finding suggests that Montgomery County serves as a hub for the state's business and technology industries.

Figure 11 New B&T Requests for Admission Statewide and for Montgomery County Circuit Court, FY2006-FY2009



Data Source: AOC (2009)

FY2009 B&T Case Processing Performance

Of the 7,746 civil cases that were originally terminated in Montgomery County Circuit Court during FY2009, less than 1% (18 cases) were assigned to “B&T” Tracks (Tracks 5 and 6 in Table 2). Of those 16 cases (2 Expedited and 16 Standard B&T cases) less than half (8 cases, 44%) were closed within the state 548-day time civil case standard, compared to the overall rate of 96% for the year. While recognizing that because of their complexity, B&T cases on average take more time than other civil cases to be disposed of, the Court strives to process them as efficiently as possible.

Table 2 FY2009 Civil Case Terminations by Termination Status (Within or Over the 18-month Standard) and Track

DCM Track [†]	Overall Terminations			Within-Standard Terminations				Over-Standard Terminations			
	N	% of Total	ACT*	N	% of Track	% of WST*	ACT*	N	% of Track	% of OST*	ACT*
Track 5	2	0.03%	654	0	0%	---	---	2	100%	1%	654
Track 6	16	0.21%	522	8	50%	<1%	293	8	50%	2%	752
Other Civil Cases	3,818	99%	225	7,417	96%	99%	205	311	4%	97%	715
Total	7,746	100%	226	7,425	96%	100%	205	321	4%	100%	716

* ACT = Average Case Time, in days; WST = Within-Standard Terminations; OST = Over-Standard Terminations.

Note: Percentages do not always add to 100% due to rounding.

[†]A brief description of the Tracks:

Track 5: Expedited – business and technology immediate service. (N = 2);

Track 6: Standard – business and technology standard. (N = 16)

Civil and Family Case Property Alternative Dispute Resolution (ADR)

Alternative dispute resolution (ADR) is a collective term that denotes various means used to resolve disputes among parties without resorting to litigation or other adversarial modes of dealing with conflict. Mediation, arbitration, facilitation, and collaborative law are examples of ADR. The popularity of ADR has increased because it allows parties greater control over the resolution of their dispute. Parties can actively participate in the dispute resolution process by choosing the individual who will assist them, by deciding on the parameters of the ADR process they select, and by deciding exactly when the ADR will take place. In addition, at the conclusion of the ADR session, in most cases, a resolution is not imposed on the parties by a third party. In contrast, litigation requires parties to abide by the deadlines set by the court, does not allow parties to participate in the resolution process or the selection of the person who will assist them, and requires the parties to accept the court-mandated resolutions at the conclusion of the trial.

Alternative Dispute Resolution

Maryland Rule 17-102(a) states that “Alternative Dispute Resolution” means the process of resolving matters in pending litigation through a settlement conference, neutral case evaluation, neutral fact-finding, arbitration, mediation, other non-judicial dispute resolution process, or combination of those processes. Montgomery County Circuit Court offers a mediation program to assist litigants in resolving property disputes in civil and family cases.

The ADR process encourages parties to take part in fact-finding and understand the other party’s point of view. Statistics reflect that parties are more likely to abide by agreements they reach together than those that are imposed upon them. In general, ADR costs less and resolves issues more quickly than litigation. ADR is used in a wide range of disputes such as parent-child and family disputes, divorce, business and organizational disputes, environmental conflicts, community/neighborhood conflicts, and real estate disputes.

The Montgomery County Circuit Court offers a pre-trial mediation program for civil and family cases. The mediation program supports the Court’s ADR process, which was outlined in Maryland Rule 17. The Circuit Court maintains a list of mediators who have been approved to participate in the Court’s mediation program, and who have met the requirements of Maryland Rule 17. In civil cases, mediation is offered at the status or settlement pre-trial hearing (or at anytime before trial at the request of counsel or the parties). In family cases, mediation is offered at the Scheduling Hearing for cases allotted more than one-half day of trial time.

In FY2009¹⁴, ADR orders were made in a total of 339 civil cases and 449 family cases, of which 320 civil cases and 368 family cases had some type of resolution to their cases.¹⁵ The Court refers cases to mediation at the earliest opportunity while allowing parties and their counsel to develop their cases through discovery and other pre-trial processes. Mediators approved by the Court to participate in the Court's ADR program have agreed to do so at the reduced hourly rate of \$200.

Figure 12 displays the percent of civil and family cases (respectively) that settled by when the settlement occurred: prior to ADR appointment, less than 30, 60, or 90 days after the ADR appointment, or more than 90 days after the ADR appointment for the cases that experienced both an ADR order and the initial case closure in FY2009. Of the 320 civil cases in which an ADR Order was generated and an outcome of the ADR was obtained, 274 cases (86%) fully settled either prior to or after the scheduled mediation without going to trial. Further, only 12% (38 cases) went to trial, 1% (3 cases) partially settled, and less than 1% of the cases (1 case) have yet to settle and are currently stayed.

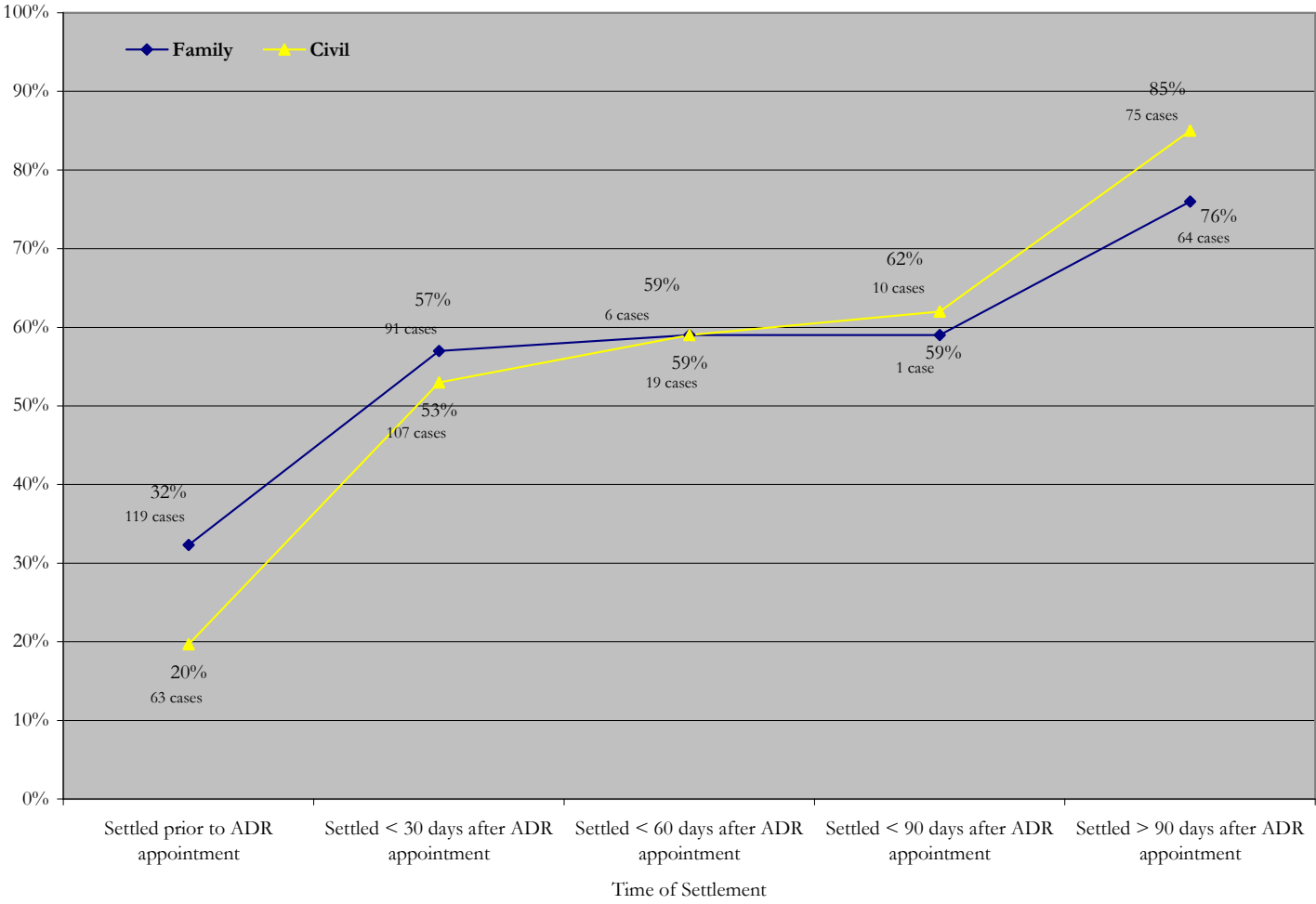
Of the 368 family cases with an ADR Order that was generated in FY2009, 32% (119 cases) were settled prior to mediation, 44% (162 cases) settled after the ADR but prior to the scheduled trial, resulting in 76% (281 cases) fully settled without going to trial. Only 5% (17 cases) were partially settled, 13% (48 cases) did not settle at ADR and ultimately went to trial, and 1% of the cases have not settled and are currently stayed.

Figure 12 clearly shows that over half (57%) of the cases for which an ADR Order was generated in FY2009 reached full settlement before the ADR appointment or within 30 days after the ADR appointment was held. However, 20% of civil cases and 32% of family cases were fully settled *before* the ADR appointment was held, indicating that ADR may not be the reason settlement was achieved.

¹⁴ The data used for this analysis is as of January 25, 2010. Continual updates are being made to these statistics as additional information becomes available regarding the resolution of civil and family property disputes. For additional information, please contact Court Administration at 240-777-9102.

¹⁵ Not all of the ADR Orders generated in FY2009 are reflected in these statistics because: 1) some cases are still pending, 2) some cases did not settle at ADR but the trial date has not passed; therefore, it is possible that those cases will settle in advance of the trial date, 3) some ADR Orders were not counted due to error, 4) some parties changed their minds and elected not to participate in the ADR process, and 5) some cases may have been stayed due to bankruptcy or for other reasons.

Figure 12 Cumulative Number and Percent of Civil and Family ADR Cases by Full Settlement Period, FY2009



Differentiated Case Management

Differentiated Case Management (DCM) Plans

The basic philosophy of Montgomery County Circuit Court's Differentiated Case Management (DCM) is two-fold: increased efficiency in case processing and reduced demand for judicial intervention at every phase of litigation. DCM achieves these goals through the early differentiation of cases entering the justice system in terms of the nature and extent of judicial/justice system resources required. Each case is assigned to the appropriate case track to allow for the performance of pre-trial tasks and the appropriate level of court resources to be afforded while minimizing processing delays. Established mechanisms avoid multiple court appearances and assure the timely provision of resources for the expeditious processing and resolution of cases on each track. Descriptions and copies of Montgomery County Circuit Court's DCM plans are available electronically on the Court's [DCM page](#).

Civil Cases

In cooperation with the Montgomery County Bar Association, six case tracks have been established for the Civil DCM plan. The tracks support a variety of civil cases ranging from those with no legal issues, or legal issues not requiring formal discovery (Track 0) to business and technology cases (Tracks 5 and 6) that require specialized treatment because the technological issues contained therein are of such a complex or novel nature. Similar to the other DCM plans, Civil DCM has a manual that provides direction to those engaged in civil litigation. The topics covered in the Civil DCM plan include but are not limited to: filing a motion, requesting a postponement, amending a complaint or filing a third party complaint, failing to appear, bifurcating or consolidating cases, and requesting Alternative Dispute Resolution (ADR).

Criminal Cases

The overall goal of the Criminal DCM plan is to develop a system in which Court supervision is implemented at an early stage in order to evaluate each criminal case at its inception. The objectives of the plan include:

- 1) Realistic case assignment and scheduling of events, alleviating the need for excessive continuances;
- 2) Expedited case disposition for incarcerated offenders;
- 3) Judicial supervision consistent with the complexity of each case; and
- 4) Efficient use of judicial system resources.

Under the Criminal DCM plan, cases are assigned to one of five tracks according to the Court's standards and guidelines regarding the disposition and complexity of the case. The five case tracks range from Information (Track 0) to Complex (Track 4).

Family Cases

The DCM plan for Family Division Services represents the shared efforts of numerous dedicated professionals who have pooled their experience and vision to assist the Court in implementing a more efficient case management system. Several committees whose membership is drawn from the Judges and Masters of Montgomery County Circuit Court, members of the Bar Association, government support agency personnel, mental health professionals and other key Court personnel have been instrumental in developing this plan. Family cases are assigned to a specific case track depending on the issues. There are five tracks ranging from Uncontested Fast Track (Track 0) cases to cases involving complex-extensive property holdings, complicated business valuations, pensions, significant assets, alimony, custody, visitation, and divorce (Track 4).

Juvenile Cases

The Juvenile DCM plan consists of eleven case tracks ranging from Peace Orders (Track 0) to Adoption (Track 10). The plan was developed by integrating recommendations made at the time when juvenile causes were transitioning from the District Court to the Circuit Court. The plan contains statutory timeframes and support from dedicated professionals who are committed to providing a fair and efficient forum to resolve legal and social implications of families and children in conflict.

DCM Coordinator

In response to declining timeliness and expeditious processing of several caseloads, the Montgomery County Circuit Court created a position of the Differentiated Case Management (DCM) Coordinator, the Court's first dedicated position for DCM case management. More specifically, the DCM Coordinator is responsible for coordinating the implementation of the DCM plans, which are anticipated to be updated in 2010. In addition, the DCM Coordinator is responsible for conducting internal briefings, trainings, and external outreach as it relates to case management.

In FY2009, the DCM Coordinator extensively reviewed the Court's current DCM plans, its procedures and past implementation, as well as identified groups of cases for which special judicial intervention may be warranted as a means to reduce backlog or improve case processing performance. Findings gathered from this review as well as recommendations for improvement were presented to the Administrative Judge, who then convened multi-disciplinary working groups for the Court's major case types. These working groups were composed of both external and internal stakeholders and individuals most involved

in litigating and processing the case types in question in an effort to revise and reinvigorate the DCM plans. Key goals for the working groups include identifying efficiency gaps in case processing, developing appropriate and feasible solutions, and recommending modifications to the DCM plans, procedures, and policies to ensure the early settlement of cases prior to trial and to enhance the predictability of trial dockets. Currently, civil and criminal working groups are examining their respective case processing performance and meetings with family and juvenile (delinquency and child welfare) working groups will occur in early 2010. The DCM coordinator will develop final reports from the planned DCM meetings and will propose revisions to the DCM plans and manuals.

The Coordinator is also working to develop mechanisms that identify and flag cases that may require the Court's intervention earlier in their case process so as to obtain a more expedient resolution and to ensure that these cases do not disrupt the Court's ability to process other cases within defined time standards.

A key component to case management is being able to measure case processing and performance. Research conducted by the Court Researchers with regard to the Court's case processing performance will continue to inform the case management process. Through working closely with the Court Researchers, the DCM Coordinator will identify caseload trends and measure the impact of various initiatives on the Court's overall compliance with defined statewide time standards.

Ensuring Accountability: Continuous, Collaborative Review of Court Performance

Montgomery County Circuit Court continuously reviews statistical information related to the various activities of the Court, in particular, its caseload and case processing performance to ensure efficient court operations and that the Court is being accountable to Montgomery County residents. In the past, as one of the leaders in the state in terms of case management and data quality control, Montgomery County Circuit Court led the state in its case processing performance. However, as other jurisdictions have implemented similar or more efficient case management and monitoring systems, the gap in performance between Montgomery County and other jurisdictions has narrowed.

Despite challenges such as budget constraints facing the Court, Loretta Knight, Clerk of the Court, and Pamela Harris, Court Administrator, have reaffirmed their commitment to collaborate closely in order to maintain and improve the Court's operations to fulfill the Court's mission – administering justice in an honest, fair, and efficient manner. They continue to dedicate resources to ensuring the quality of the case information that the Court collects and records, so that analyses based on the data accurately reflect the Court's case processing performance. Further, both fully concur that the management of case processing should be evidence-based, that is, the Court's management decisions, in particular those regarding case processing, should be based on systematic analyses of data that it collects, rather than relying on anecdotal information. For example, understanding how Court performance relates and responds to the County's demographic profile, economic climate as well as budgetary constraints are important components to the efficient management of the Circuit Court. Furthermore, both embrace evidence-based case management as a means to continue to drive the Court's overall case management orientation toward being more proactive, prospective and forward-looking rather than passive and reactive.

To achieve these goals, Ms. Knight and Ms. Harris have committed to close communication and coordination. While acknowledging the importance of the Clerk's Office to perform its functions autonomously, both agree that data quality responsibilities must be shared by both the Clerk's staff and the Court Administration staff. They have fostered strong staff awareness about the critical importance of recording and collecting data that reflects the true performance of the Court – that they are not merely processing papers, but rather they are serving the residents of Montgomery County with legal matters that often affect their lives.

Montgomery County and Circuit Court Statistics

This section highlights some of the characteristics of Montgomery County residents. Understanding the characteristics of the County's population is critical for the Circuit Court to ensure that residents' Court-related needs are met. For instance, it is important to understand the ethnic diversity of the County population because it provides insight into the types of languages for which the Court will need interpreters. By being aware of the County's socio-demographic trends, the Circuit Court is in a better position to make informed decisions related to the resources required to support the efficient administration of justice.

Population of Montgomery County is expected to reach 1-million in the next decade

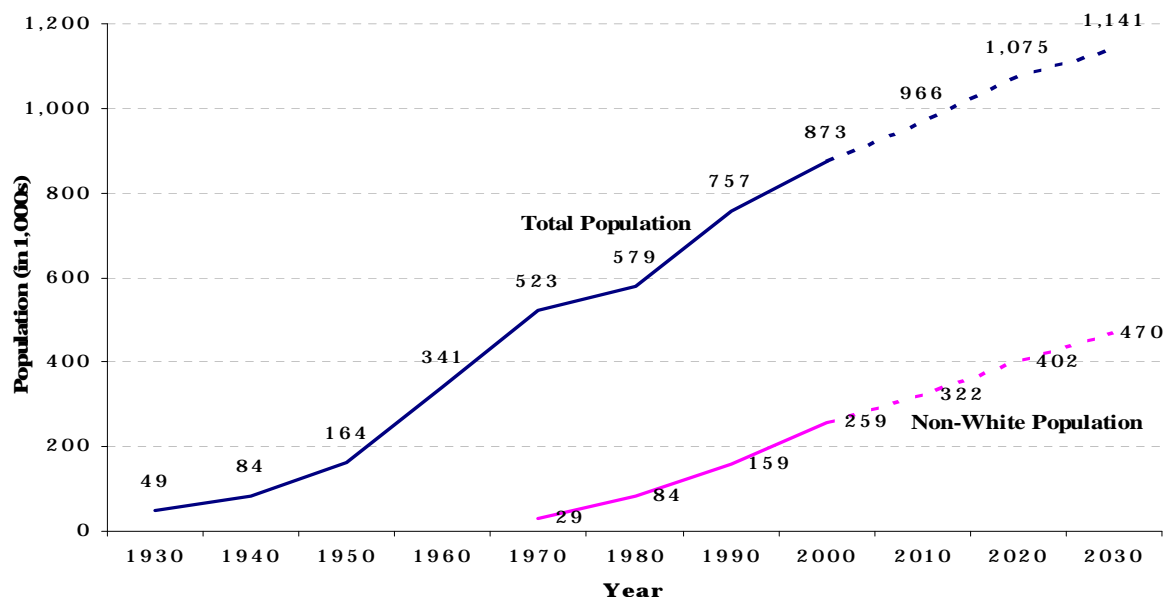
According to the U. S. Census Bureau, Montgomery County's population in July 2008 was 950,680, approximately 9,000 more than the previous year (941,491).¹⁶ Since 2000 the County increased its population by more than 77,300, or a nine percent increase (8.9%), which is by far the largest for the state followed by a 31,300 increase in Baltimore County. While the rate of population increase is no longer as large as it was during 1980 and 1990 when it peaked at 2.7% per year, the County population is still expected to increase. Based on the projections made by the Maryland State Data Center, Department of Planning, the County population is to reach one million sometime between 2010 and 2015 (see Figure 13). Since 1989 the County has been the most populous jurisdiction in Maryland (nationally 45th). The two leading forces sustaining the County's current population growth are the record number of births (on average 13,400 births per year since 2000, resulting in an average 8,000 net increase in the County's population) and the influx of new residents, in particular, those from other countries (on average 8,300 international immigrants per year since 2000).

Of the five major case types that Montgomery County Circuit Court hears (criminal, civil, family, juvenile, and child welfare), family cases, which deal with the divorce and other family law issues, are more closely associated with the County's population increase than other cases. As shown in Figure 20 in the next

¹⁶ Population Division, U.S. Census Bureau, March 19, 2009, *Table 1: Annual Estimates of the Resident Population for Counties of Maryland: April 1, 2000 to July 1, 2008*. (CO-EST2008-01-24) (downloaded from <http://www.census.gov/popest/counties/CO-EST2008-01.html>, accessed on 10/09/2009)

section of this report (page 66), the number of family case filings for most of the past decade have increased steadily, reaching 14,900 in FY2009. This trend is expected to continue. While family filings passed that of civil filings in early 2000, that trend reversed in FY2008 and FY2009 when the Court's civil filings exceeded family filings. The increase in civil case filings in late 2000 is likely due to massive increases in foreclosure filings and, more broadly, the nation's economic downturn.

Figure 13 Historical and Projected Total and Non-White Populations, Montgomery County, Maryland

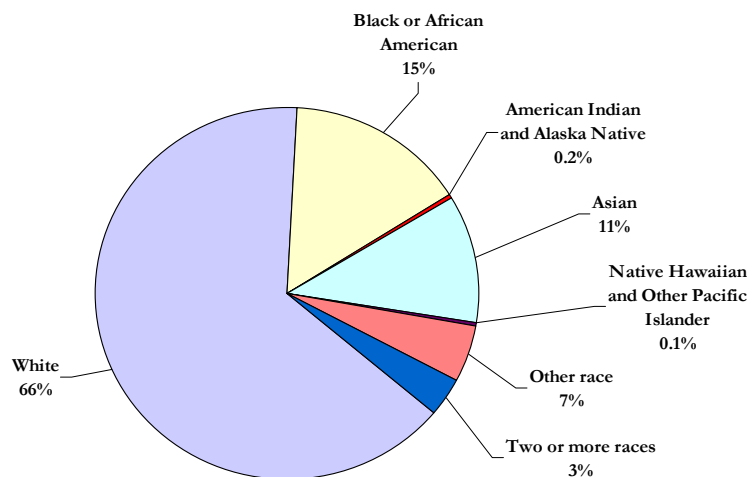


Sources: Maryland State Data Center, Maryland Department of Planning, *Historical and Projected Total Population for Maryland's Jurisdictions*, and *Demographic And Socio-Economic Outlook: Montgomery County*: February 2009 (<http://www.mdp.state.md.us/MSDC/County/mont.pdf>, accessed on 10/09/2009)

Continuing racial diversity¹⁷

Along with the population growth, Montgomery County has been experiencing increased racial and ethnic diversity in its population. As shown in Figure 14, the number of non-white population has continued to grow at a similar pace with the County's overall population. According to the 2008 U.S. Census American Community Survey (see

Figure 14 Montgomery County Population by Race, 2008



Source: U.S. Census Bureau. *2008 American FactFinder* (http://factfinder.census.gov/home/saff/main.html?_lang=en, accessed 10/09/2009)

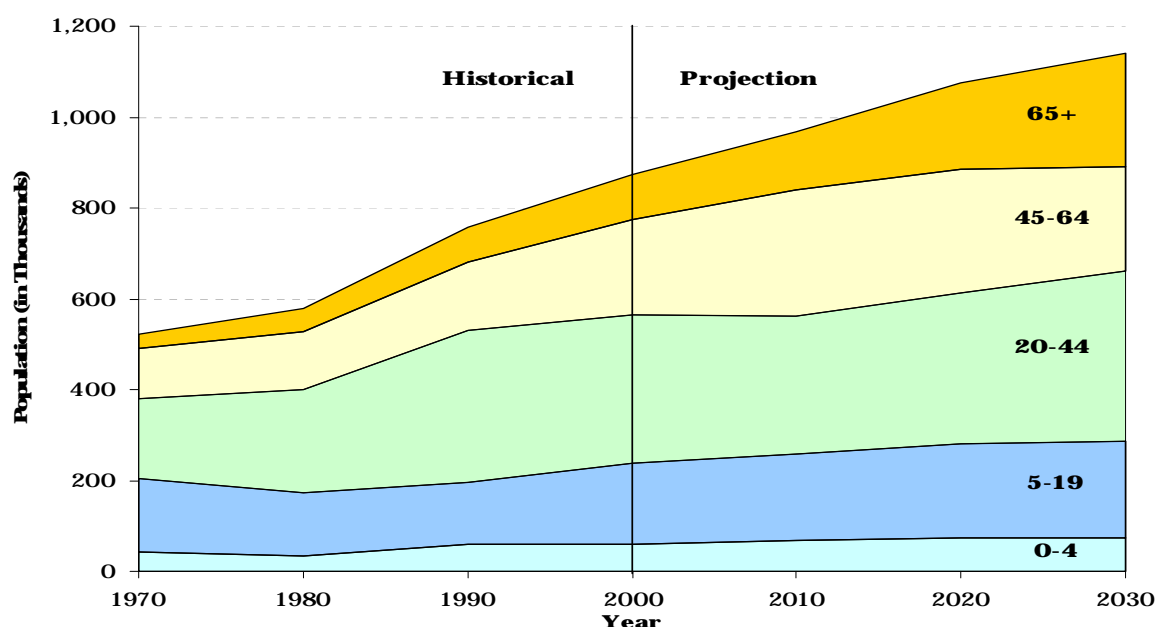
¹⁷ The analysis in this section uses population data and estimates from the United States Census, which collects race and Hispanic-origin information in two separate questions. Accordingly, individuals of any race could be of Hispanic origin, and those who are of Hispanic origin could be of any race.

Figure 12), 66% of Montgomery County's residents are White. Fifteen percent of the County residents are Black/African American, which is substantially smaller than the statewide average of 28%. In contrast, 11% of the County population is comprised of Asian residents, which is nearly three times the statewide percentage (4%). In fact, close to 47% of the state's Asian population resides in Montgomery County. While the African American population in the County is the second largest race group, their representation (15%) is substantially lower than the state average (28%). Irrespective of race, 12% of Montgomery County's population is comprised of individuals with Hispanic or Latino origin, substantially higher than the statewide percentage (4%) and almost at the national percentage (13%).

Maturing County population

Like many other communities in the nation, the population of Montgomery County is maturing with the aging of the "Baby Boomer" population (those born between 1946 and 1964). Over the past three decades, the County population's median age increased from 30 in 1970, 34 in 1987, 37 in 2000, and 39 in 2008 (see Figure 15). The trend is expected to continue possibly at a greater rate not only as the dominating post-World War II baby boomers age but also because of improving life expectancy of older generations. This trend has also resulted in an ever-increasing proportion of the County population aged 65 and over. In 2006, approximately 110,800 (11.9%) of Montgomery County residents are age 65 and older; in 2008, the number of County residents age 65 and older increased to 118,500, accounting for 12.5% of the population. In 1970, the portion of this population was 6%, less than half of the current level, and by 2030, the percent of County residents aged 65 and older is expected to increase to 21.8%, or slightly more than one in five of the County residents. Another trend among this population segment is the rapid "aging" of the elderly population. Currently, close to half of these elderly residents (47.3%) are over 74 years old (56,112), and slightly over one third (34%, 19,232) of whom are aged 85 and older. Given the improved life expectancy and the continuation of anticipated universal health care coverage for the nation's elderly population (through Medicare), this elderly segment of the County's population is expected to increase.

Figure 15 Historical and Projected Populations by Age Group for Montgomery County, 1970 – 2030



Source: Maryland Department of Planning, Planning Data Services, Demographic and Socio-Economic Outlook

Increase in foreign-born residents

Another major aspect of the County's population growth is the increase in the number of residents who were born outside the United States. Based on the 2008 U.S. Census American Community Survey, 287,000 or 30% of the County residents are foreign-born, a three percentage-point increase from 27% in 2000, and over 50% of them are not U.S. citizens. In terms of the world region of birth for these residents, 37% (106,000) are originally from Asia, slightly declined from 39% in 2005. Another 98,000 (34%) of foreign-born residents are from Latin America, followed by 41,000 (14%) from Africa, and 38,000 (13%) from Europe (see Table 3). On average, two out of five foreign-born Maryland residents live in Montgomery County.

Table 3 Foreign-Born Population in Montgomery County by World Region of Birth, 2008

Region of Birth	Montgomery County		Maryland Number	(% in Montgomery County)
	Number	(%)		
Asia	106,358	(37%)	227,176	(47%)
Latin America	98,127	(34%)	258,282	(38%)
Africa	40,855	(14%)	106,882	(38%)
Europe	37,589	(13%)	94,401	(40%)
Northern America	3,553	(1%)	9,185	(39%)
Oceania	925	(0%)	1,683	(55%)
Total	287,407	(100%)	697,609	(41%)
Montgomery Population	950,680	(30%)		

Note: Excludes Population Born at Sea

Source: US Census, 2008 American Community Survey, (<http://www.census.gov/acs/www/Products/index.html>, accessed 9/28/2009)

The diversity of nativity in the County population is also reflected in the equally wide spectrum of languages spoken by its residents, which is particularly important for the Court in its efforts to provide sufficient spoken-language interpreter services to County residents during court proceedings. More than one-third of these individuals speak Spanish at home, 10% Chinese, and 8% French. These top three languages account for over half of the populations who speak a language other than English at home. In fact, over two-thirds of these individuals speak one of the top five languages (Spanish, Chinese, French, African languages, and Korean). However, it is also important to note that numerous foreign-born County residents speak other languages at home though they are few in number.

Table 4 Montgomery County Population (estimates) Five Years or Older by Language Spoken At Home and English Proficiency, 2008

	Montgomery County		Maryland	United States
	Number	(%)	(%)	(%)
Population five years or older	884,469			
English only	551,607	(62%)		
Language other than English	332,862	(38%)	(15%)	(20%)
Speak English less than "very well"	132,478	(15%)	(6%)	(9%)

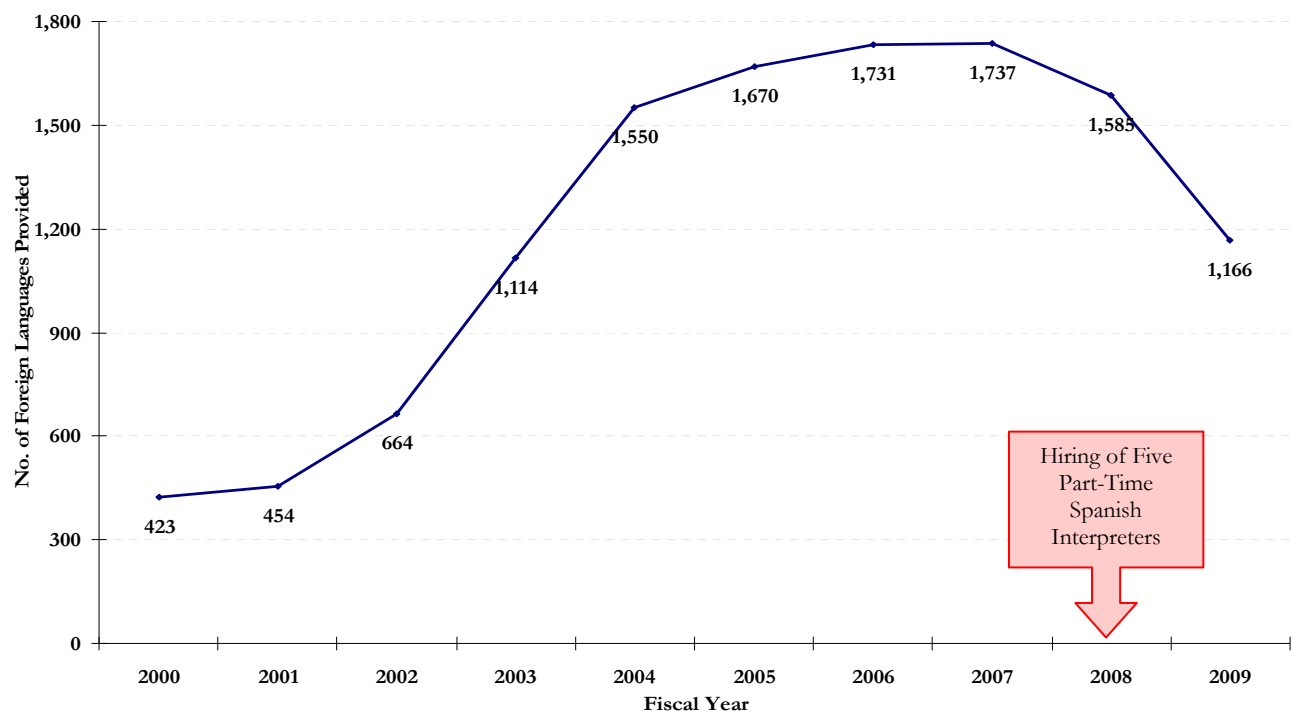
Source: US Census, 2008 *American Community Survey*, (<http://www.census.gov/acs/www/Products/index.html>, accessed 9/28/2008)

The Survey further reveals that approximately 40% of the County residents who speak a language other than English at home indicated that they speak English less than “very well.” These 123,400 individuals account for 14% of the County population (see Table 4).

Increased diversity in the County’s population has significantly influenced the Court’s daily operations and its ability to provide services to the community. For example, the recent increase in County residents whose primary language is not English has resulted in a substantial increase in the number of foreign-language interpreting services needed during hearings, trials and other ancillary programs, as well as the breadth of languages for which interpreters need to be proficient. Figure 16 depicts the demand for foreign-language interpreter services based on the number of invoices that the Court processed for FY2000 through FY2009. In recent years, the Court processed over 1,700 foreign language-related interpreter invoices, which more than quadrupled since early 2000s. In FY2008, the Court hired five part-time Spanish interpreters to meet the ever-increasing demand of Spanish interpreter services as indicated by the boxed arrow in Figure 16. The number of interpreter invoices declined by 150 between FY2007 and FY2008, and by 400 between FY2008 and FY2009, which corresponds with the full utilization of the services being offered by part-time Spanish interpreters. The observed decline in the number of invoices between FY2007 and FY2009 is most likely due to the hiring of these part-time Spanish interpreters who

do not need to complete invoices as required for contract employees, rather than a decline in the actual number of interpreter services. Accordingly, the number of interpreting service invoices for FY2010 is expected to remain at the FY2009 level or slightly increase if the demand for such services is still increasing as it was in early 2000s.

Figure 16 Court Interpreter Services: Numbers of Foreign-Language Interpreting Service Invoices Submitted,* Montgomery County Circuit Court, Maryland, FY2000-FY2009

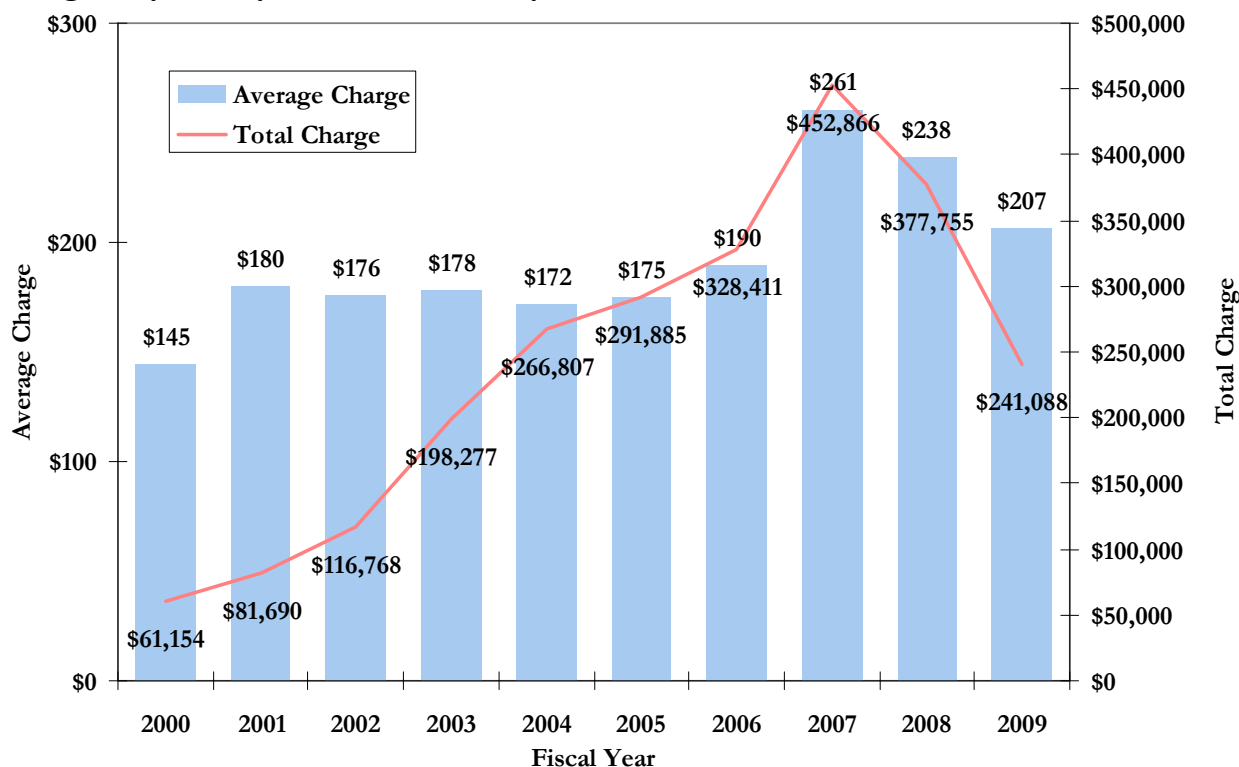


Note: These numbers are based on the invoices submitted by interpreters who provided services.

* Excludes 1,125 interpreter services that do not involve foreign-language interpretations (such as American Sign Language, Real Time Captioning, CART Services, Cued Speech and Caption Reporting) and those for which language information is not readily available. Since (in most cases) interpreters submit an invoice per day rather than per service, the actual number of services is expected to be much higher than the number of invoices submitted. Also, note that the FY2008 and FY2009 figures do not include the services provided by the five Spanish interpreters who have been hired as part-time court employees.

The line graph in Figure 17 (see page 61) depicts the amount of funds spent to acquire foreign-language interpreter services. The trend closely follows that of the number of services shown in Figure 16, except for FY2007 when the total charge jumped from \$330,000 to \$450,000 while the number of invoices increased by merely 6 between the 2 fiscal years. The trend in the average charge, depicted in bar graphs on Figure 17, explains the increase; between FY2006 and 2007, the average charge for foreign language interpreter services increase by \$70 from \$190 to \$260.

**Figure 17 Court Interpreter Services: Expenditures for Foreign Language Interpreting Services,*
Montgomery County Circuit Court, Maryland, FY2000-FY2009**

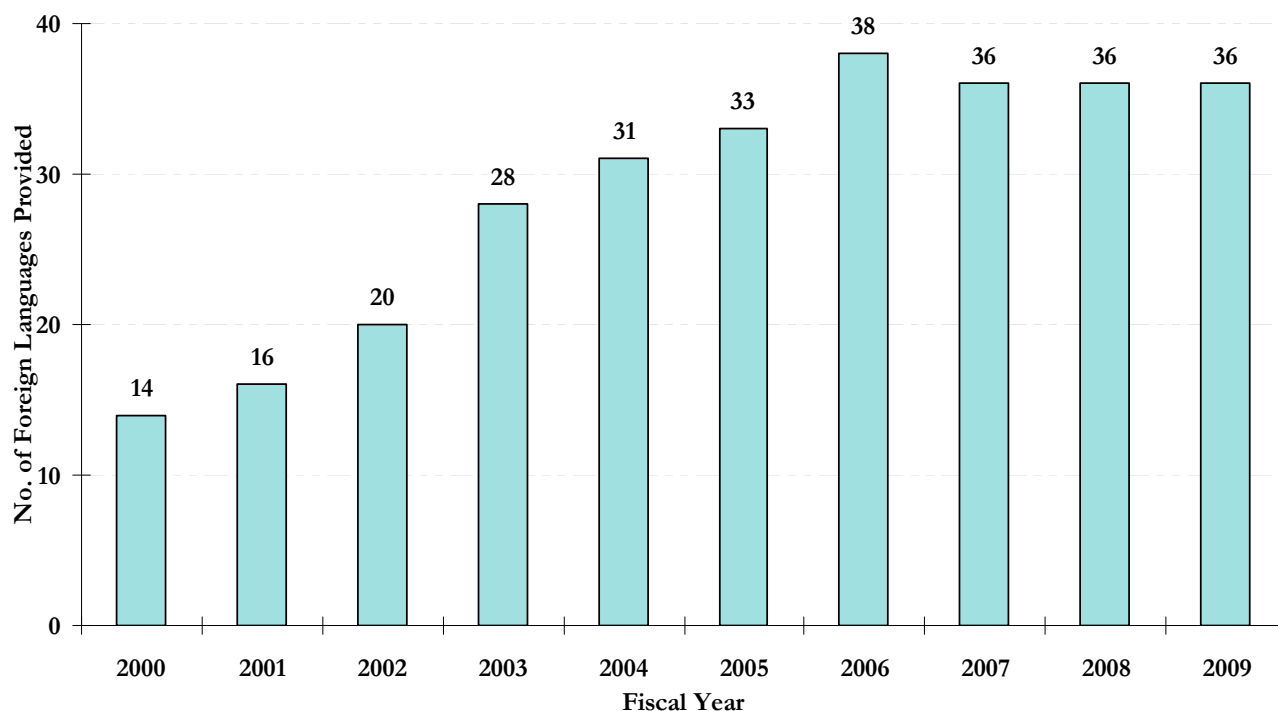


* Expenditures are based on the invoices submitted by interpreters who provided foreign-language interpreting services. Interpreter services that do not involve foreign-language interpretations (such as American Sign Language, Real Time Captioning, CART Services, Cued Speech and Caption Reporting) and those for which language information is not readily available (1,125 invoices).

Figure 18 (see page 62) illustrates the magnitude of language diversity reflected as the number of foreign-languages for which the Court provided interpreter services. As the figure indicates, the number of dialects requiring Court interpreting services increased substantially from 10-15 languages in early 2000s to close to 40 different languages in FY2006-FY2009. Since some languages are consolidated into a single category (such as Chinese, Cantonese, and Mandarin, and various dialects spoken in India) due to previous coding inconsistencies, the actual number of the languages may be as high as 50.

As Figure 18 indicates, the Court provided interpreter services for 36 different languages for FY2009, more than doubled from FY2000 when interpreting services were provide for 14 languages. In FY2009, of the 36 different languages, only 22%, of the invoiced services (256 of 1,166 invoices) were Spanish, compared to 41% (649 of 1,585) in FY2008 and 53% (919 of 1,737) in FY2007. The percentage of Spanish language services would be much higher if those provided by the Court's part-time Spanish interpreters were included in FY2008 and FY2009 figures, probably as high as 53% as observed in FY2007.

Figure 18 Court Interpreter Services: Number of Foreign-Languages for which Interpreter Services were Provided,* Montgomery County Circuit Court, Maryland, FY2000-FY2009



* Excludes 1,125 invoiced interpreter services that do not involve foreign-language interpretations (such as American Sign Language, Real Time Captioning, CART Services, Cued Speech and Caption Reporting) or those for which the specific language service is not readily available. Since some languages were consolidated into a larger language category, the actual number of languages may be higher. For example, Cantonese, Mandarin, Taiwanese, and Taishanese were characterized as 'Chinese'. Similarly, a number of languages spoken in India (such as Tamil, Karnatki, Gujarati, Bengali, Hindi, Punjabi, etc.) are characterized as "Indian Dialects".

Although markedly less frequent compared to Spanish, the second most frequently reported language for interpreting services is Chinese (including Cantonese, Mandarin and other Chinese dialects) and French; in FY2009, both had 127 invoices, accounting for 11% of the total invoiced services. Other languages requiring interpreter services from the Court include Vietnamese (8.6%), Korean/Hangul (7.1%), Amharic/Ethiopian (6.9%), Portuguese (5.1%), Farsi (5.0%), Urdu (3.1%) and Indian languages (3.0%). These 10 languages account over 80% (82.5%) of the foreign-languages requesting interpreter services for FY2009. In some rare situations, the Court may not be able to locate an interpreter for a particular language. Thus, the actual demand for foreign-language services may even be greater and is expected to become more complex as the Court's population becomes more diverse. However, the Court is determined and committed to meet this ever-increasing demand.

Crime statistics

Statewide, the overall crime rate has been in decline after peaking around 2001-2002. Again, Montgomery County is slightly ahead of the curve although Baltimore City and Baltimore County experienced larger percentage reductions in their crime rates. Noteworthy for Montgomery County is that despite its population base and growth rate, the overall crime rate (27.1 crimes per 1,000 individuals) is below the state average, much smaller than those of the other four most populous jurisdictions in the state (i.e., Baltimore City, Prince George's County, Baltimore County, and Anne Arundel County). This is reflected in Table 5, which presents the number criminal cases (both original and reopened cases) filed at Maryland's five largest jurisdictions. Montgomery County's 2005 figure is slightly greater than that of Washington County (26.8) whose 2006 population is approximately 143,700, about 15% of Montgomery County's population.

Table 5 Circuit Court Criminal Case Filings for Selected Jurisdictions, FY2001-FY2007

Jurisdiction	Population*	FY2001	FY2002	FY2003	FY2004	FY2005	FY2006	FY2007	% (FY2007)
Baltimore City	637,455	26,847	25,378	24,936	27,189	25,790	24,599	21,760	27.2%
Prince George's	828,770	10,496	9,640	8,855	8,080	10,096	7,550	8,485	10.6%
Baltimore County	788,994	6,849	6,807	6,606	6,334	6,599	8,274	8,125	10.2%
Anne Arundel	512,154	5,275	6,159	6,359	6,389	6,744	6,969	6,519	8.1%
Montgomery	930,813	6,957	6,722	5,540	5,046	5,075	5,255	6,228	7.8%
Statewide	5,618,344	78,028	77,750	76,379	78,322	79,763	80,953	80,020	

Sources: Population estimates (July 2007): Maryland State Data Center, *Population Estimates for Incorporated Places in Maryland within Jurisdictions: April 1, 2000 to July 1, 2007* (http://www.mdp.state.md.us/msdc/Pop_estimate/Estimate_07/municipal/MDMuni_07_WithinJur.xls); Filings: *Maryland Judiciary Statistical Reports, 2003-04, 2004-5, 2005-06, and 2006-07*.

The number of violent crimes (homicide, rape, robbery and aggravated assault) in Montgomery County, which first exceeded 2,000 in 2003, has been constant around 2,100 crimes per year. In 2008, the number of violent crimes reported in 2007 is 2,087 at about the 2005 level (2,079). A similar pattern holds for property crimes. The number of reported burglaries in 2008 is 3,603, a slight decline from 2007 (3,551). Equally, the number of vehicle thefts decreased from 2,483 in 2007 to 2,285 in 2008. However, since the number of larcenies increased by 1,500 between 2007 and 2008, the number of Part I crimes increased by 5.4% from 2007, reaching the 2003 level and virtually eliminating the 2003-2004 reduction (3,850 crimes). The number of Part II crimes, which substantially increased between 2005 and 2006, slightly declined from 45,860 in 2007 to 45,520 in 2008. As a result, the overall number of crimes in the County first exceeded 72,000 cases per year in 2008.

Table 6 Number of Crimes Committed in Montgomery County by Type, Calendar Year 2001-2008

Part I Crimes											Part II Crimes*		Overall	
Year	Part I Violent Crimes					Part I Non-Violent Crimes								
	Homicide	Rape	Robbery	Aggravated Assault	Sub total	Burglary	Larceny	Vehicle Theft	Sub total	% Change	Sub Total	% Change	Total	% Change
2001	19	120	818	827	1,784	3,539	18,226	3,150	26,699		44,190		70,889	
2002	32	138	877	878	1,925	3,874	18,897	3,722	28,418	6.4%	42,295	-4.3%	70,713	-0.2%
2003	21	135	1,004	954	2,114	4,095	17,875	3,489	27,573	-3.0%	42,218	-0.2%	69,791	-1.3%
2004	18	139	788	967	1,912	3,743	15,503	2,562	23,720	-14.0%	42,757	1.3%	66,477	-4.7%
2005	19	150	1,035	875	2,079	3,570	15,869	2,486	24,004	1.2%	43,417	1.5%	67,421	1.4%
2006	16	141	1,166	833	2,156	3,804	16,860	2,493	25,313	5.5%	46,202	6.4%	71,515	6.1%
2007	19	129	1,096	815	2,059	3,551	17,536	2,483	25,629	1.2%	45,862	-0.7%	71,491	0.0%
2008	21	131	1,100	835	2,087	3,603	19,027	2,285	27,002	5.4%	45,518	-0.8%	72,520	1.4%

Source: Montgomery County Police, Crime Statistics

(<http://www.montgomerycountymd.gov/poltml.asp?url=/Content/POL/media/crimeStats.asp>, accessed on 9/28/2009)

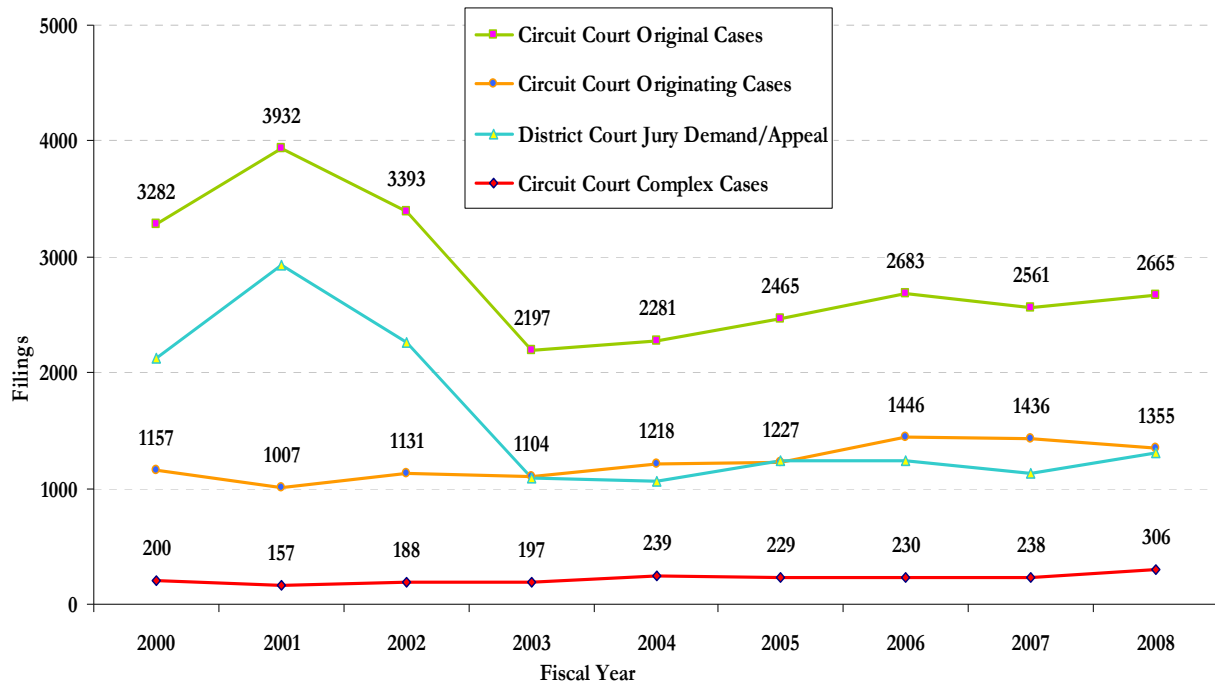
* Part II crimes are defined as minor assaults, arsons, forgery-counterfeiting, bad checks, embezzlement, stolen property, vandalism, weapons offenses, sex offenses, controlled dangerous substance (CDS) violations, gambling, family offenses, juvenile offenses, liquor law violations, disorderly conduct, suicide, and non-traffic offenses.

As Figure 19 indicates, the number of original criminal case filings, which consists of those originated at the Circuit Court and those transferred from the District Court either by jury demand or appeal, shows a gradual increase since FY2003 after a large decline in the early 2000s. Corresponding with the trend of the County's violent crimes, the number of criminal cases originating in the Circuit Court, and in particular, complex criminal cases (cases with serious offenses such as homicide, rape, first and second degree sex offenses, child abuse, major fraud, arson, and DNA cases), have been gradually increasing. In contrast, the number of District Court jury pray or appeal cases, which peaked close to 3,000 in FY2001 but declined precipitously thereafter due to procedural changes such as the implementation of the "Instant Jury Demand" is about 1,200-1,300 filings per year. As indicated above the number of larcenies has steadily increased from 15,500 in 2004 to 17,500 in 2008.¹⁸ The corresponding increase is observed in the number of criminal cases filed at the County's District Court, which increased from 17,986 to 22,776 between FY2003 and FY2007.¹⁹ Since the number of larcenies increased by close to 1,500 cases between 2007 and 2008, the number of District Court criminal case filings is also expected to experience a substantial increase in 2008.

¹⁸ Montgomery County Department of Police, 2007 Annual Report

¹⁹ Maryland Judiciary, Maryland Judiciary Statistical Reports, 2003-04, 2004-5, 2005-06, and 2006-07 (<http://www.courts.state.md.us/publications.html>, accessed on 12/1/2008)

Figure 19 Number of Original Criminal Case Filings: Overall, Circuit Court-Originating Cases, District Court Jury Demand or Appeal Cases, and Circuit Court Complex Criminal Cases, FY2000-FY2008



Domestic Violence Statistics

According to the Montgomery County Police Department, in 2008 close to 40% of Aggravated Assaults (325 of 835 reported) were domestic violence-related crimes. However, the number of domestic violence incidences reported is much greater. According to *Crime in Maryland: 2008 Uniform Crime Report (UCR)*, 1,359 incidences of domestic violence were reported in Montgomery County, more than four times the number reported by the Police Department. Furthermore, the number of domestic violence filings is even greater than the UCR count though the numbers are not exactly comparable because the UCR counts are based on the calendar year whereas case filings are based on the fiscal year (i.e., July 1 – June 30). For additional information related to the Circuit Court’s domestic violence filings please see pages 40-41 of this report, which discusses Montgomery County’s Family Justice Center.

The Montgomery County Circuit Court is committed to its mission – administering justice in an honest, fair, and efficient manner. As part of the Court’s accountability efforts, continuous reviews of its workload and case processing performance occurs as well as the identification of areas for improvement. Specifically, Court Researchers analyze the data prepared by the Data Processing Unit and present results to Judges and other Court personnel and stakeholders on an annual basis.

Workload Analysis

Key workload metrics that the Court measures include the number of filings, terminations, hearings, and trials that occur annually in family, civil, criminal, and juvenile cases. Figures 20 through 25 highlight information related to these key workload factors for FY1997 through FY2009.

Figure 20 Number of Cases Filed by Case Type, FY1997 - FY2009

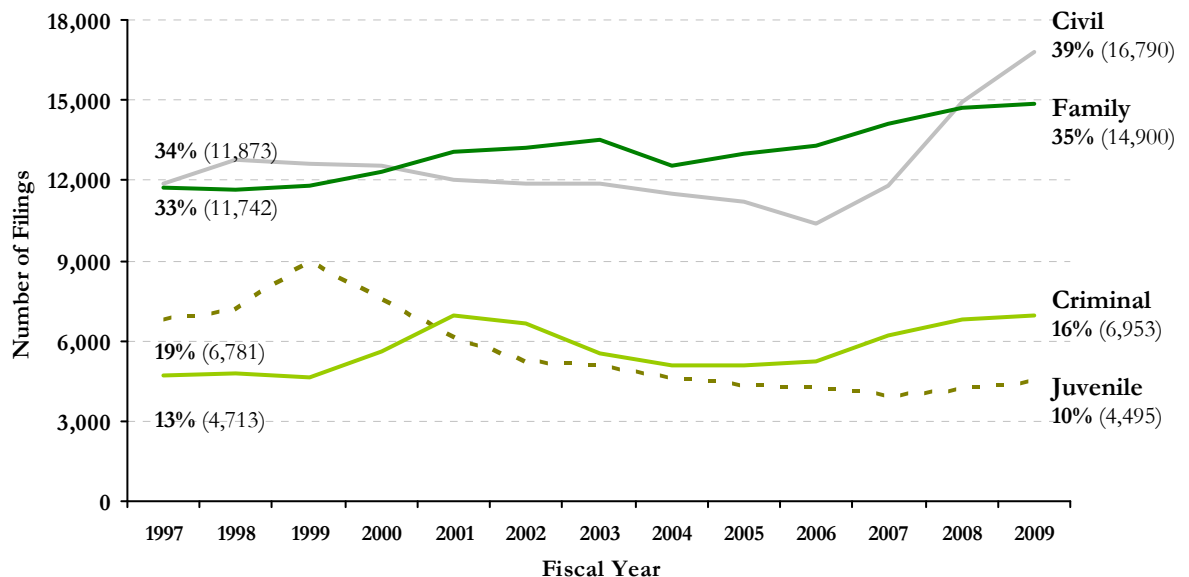


Figure 20 displays the total number of filings of both original and reopened cases by case type between FY1997 and FY2009. All case types except for civil total filings appear to have remained constant or to be on a gradual upswing since FY2000. Civil filings have exhibited a substantial increase since FY2007. The total number of case filings had been in the low-mid 30,000s in first half of 2000 but exceeded 40,000 filings in FY2008 and reached 43,000 in FY2009. Across case types, about 1/3 of the total filings are family and civil filings between FY1997 and FY2009 whereas less than 20% are criminal and juvenile (juvenile delinquency and child welfare) filings.

Figure 21 Number of Cases Terminated by Case Type, FY1997 - FY2009

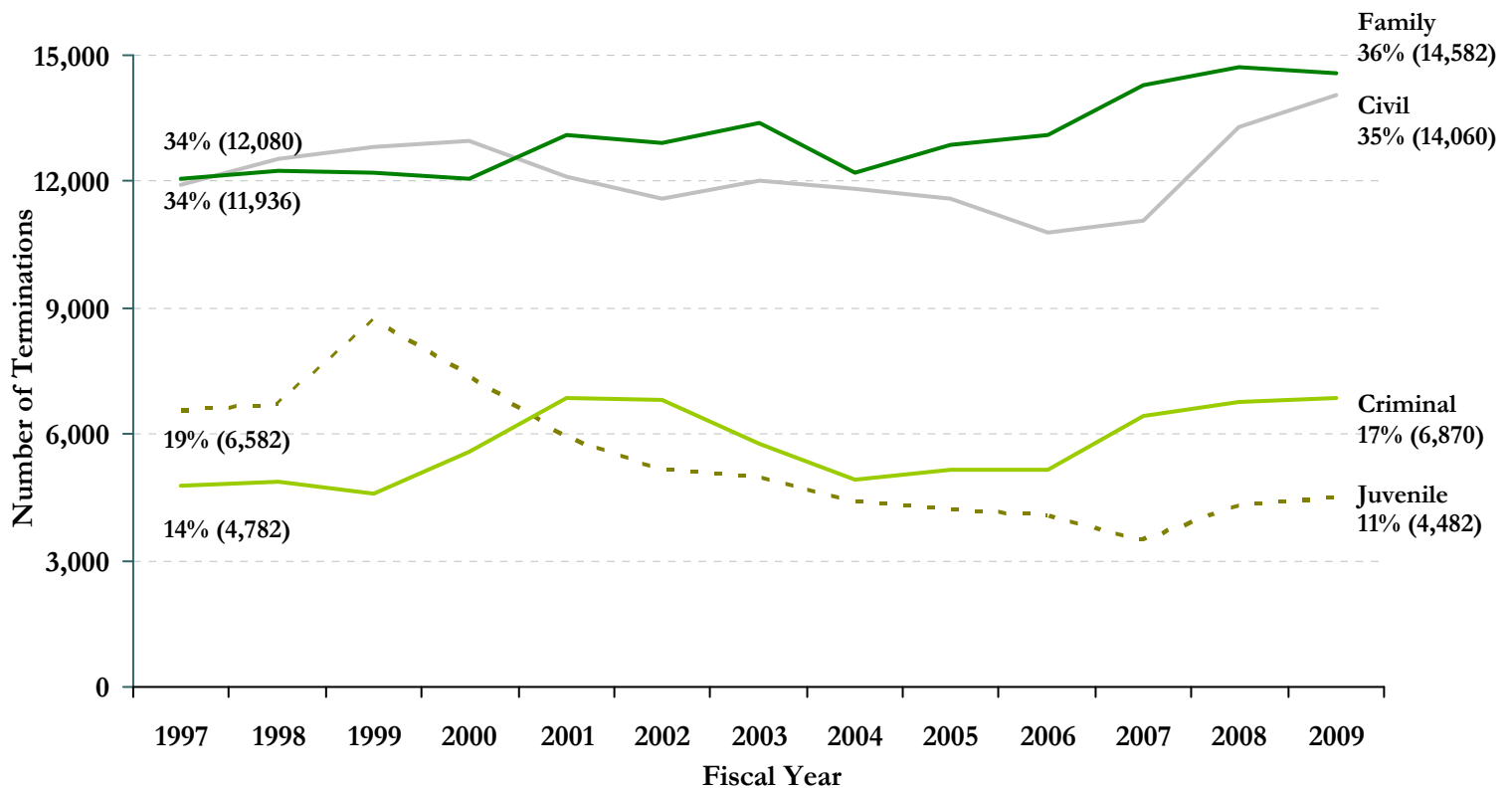


Figure 21 highlights the total number of case terminations by case type between FY1997 and FY2009. The termination trends are similar to the filing trends displayed in Figure 20. All terminations by case type are on the upswing except for juvenile delinquency, which exhibits a slight increase between FY2007 and FY2009 after a long decline since FY1999. However, the total number of terminations has remained rather constant across case types. As observed with case filings (Figure 20), family and civil case terminations each constitute over 1/3 of the total terminations respectively between FY1997 and FY2009 whereas less than 20% are criminal and juvenile terminations.

One of the ways to assess how efficiently courts are processing cases is to calculate the case clearance rate by dividing the number of terminations by filings for a given time period. Figure 22 presents the Court's annual case clearance rates by case type from FY1997 to FY2009. A clearance rate over 100% indicates that a court has more case terminations than filings, suggesting higher case processing efficiency. In contrast, a clearance rate of less than 100% indicates that the court was not able to close as many cases as were filed. As shown in Figure 22, the Court's case-type specific clearance rates were between 90% and 110% until FY2007. Between FY1997 and FY2007, the overall clearance rate was at 100%. In FY2009, the overall clearance rate reduced to 93%, largely due to the dramatic decline in the civil clearance rate

(84% in FY2009). As mentioned above, the large increases in civil filings specifically foreclosures over the past few fiscal years explain the observed decline in the civil clearance rate. Even though the Court assigned additional staff to support the civil workload and extended work hours to weekends to process such cases, the Court was unable to compensate for the marked influx of filings. The juvenile clearance rate, which was constantly lower than that of any other case type until FY2007, turned around to exceed 100% (104%) in FY2008.

Figure 22 Case Clearance Rate: Overall and by Case Type, FY1997-2009

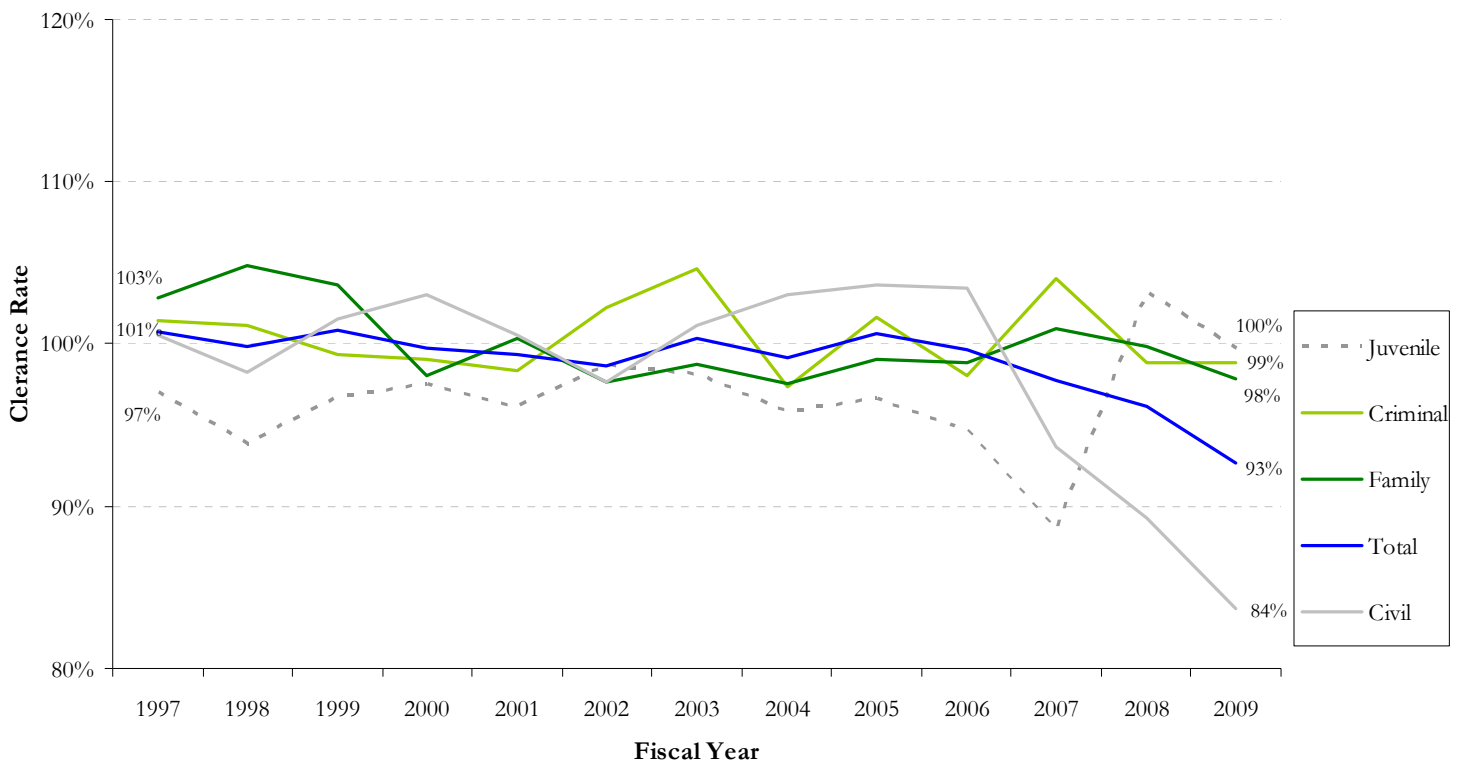


Figure 23 displays the number of hearings set and held between FY1997 and FY2009. Since FY1997, the number of matters set for hearings increased by 49% and the number of hearings held increased by 65%. There is a relatively large increase in hearings set (over 8,000 hearings) between FY2002 and FY2003. This increase is related to the transfer of juvenile jurisdiction from the District Court to the Circuit Court, as well as administrative changes made to judges' calendars due to Maryland Rule 9-208. More recently, between FY2003 and FY2009, the Court experienced a 4% increase in hearings set and a 10% increase in hearings held. While the number of hearings set declined by close to 4,000 (6%) between FY2008 and FY2009, the number of hearings held slightly increased (1,700 cases or 4%) during the same period. As a result, the percent of hearings held among those set increased from 68% in FY2008 to 75% in FY2009.

Figure 23 Number of Hearings Set versus Held, FY1997 - FY2009

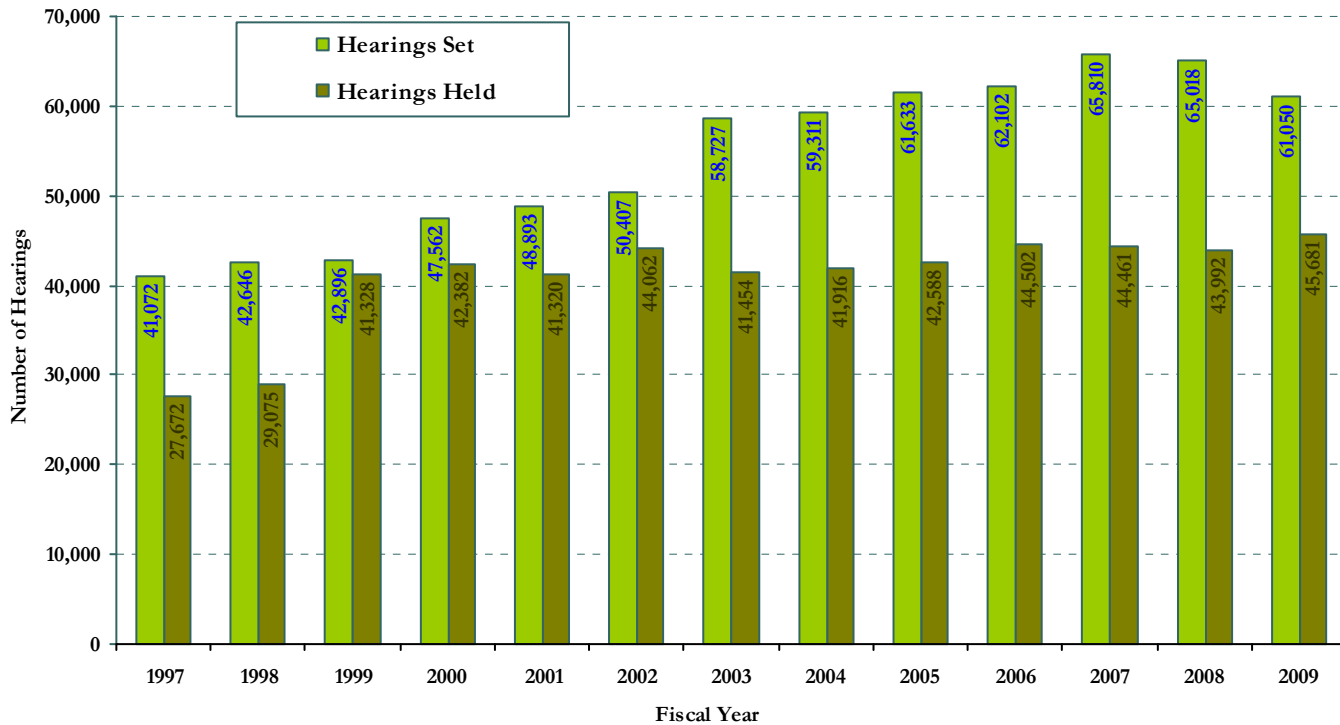


Figure 24 depicts the number of trials set and held between FY1997 and FY2009. Since FY1997, the Court experienced a 57% increase in the number of matters set for trial and a 46% increase in the number of trials held. There is also a substantial increase in trials set and held between FY2002 and FY2003 due to the transfer of juvenile jurisdiction from District Court to Circuit Court, as well as administrative changes made to judges' calendars due to Maryland Rule 9-208. More recently, between FY2003 and FY2009, the Court experienced an 18% increase in trials set and a 21% increase in trials held. Despite these increases, the trial utilization rate has been fairly consistent at 15% over the past 13 fiscal years. Since the increased availability of Alternative Dispute Resolution (ADR), such as mediations, arbitrations, collaborative law, etc., which provide parties with a means to settle their disputes outside of formal court proceedings, the viability of trials as a means of resolving cases may decline in the future.

Figure 24 Number of Trials Set versus Held, FY1997 - FY2009

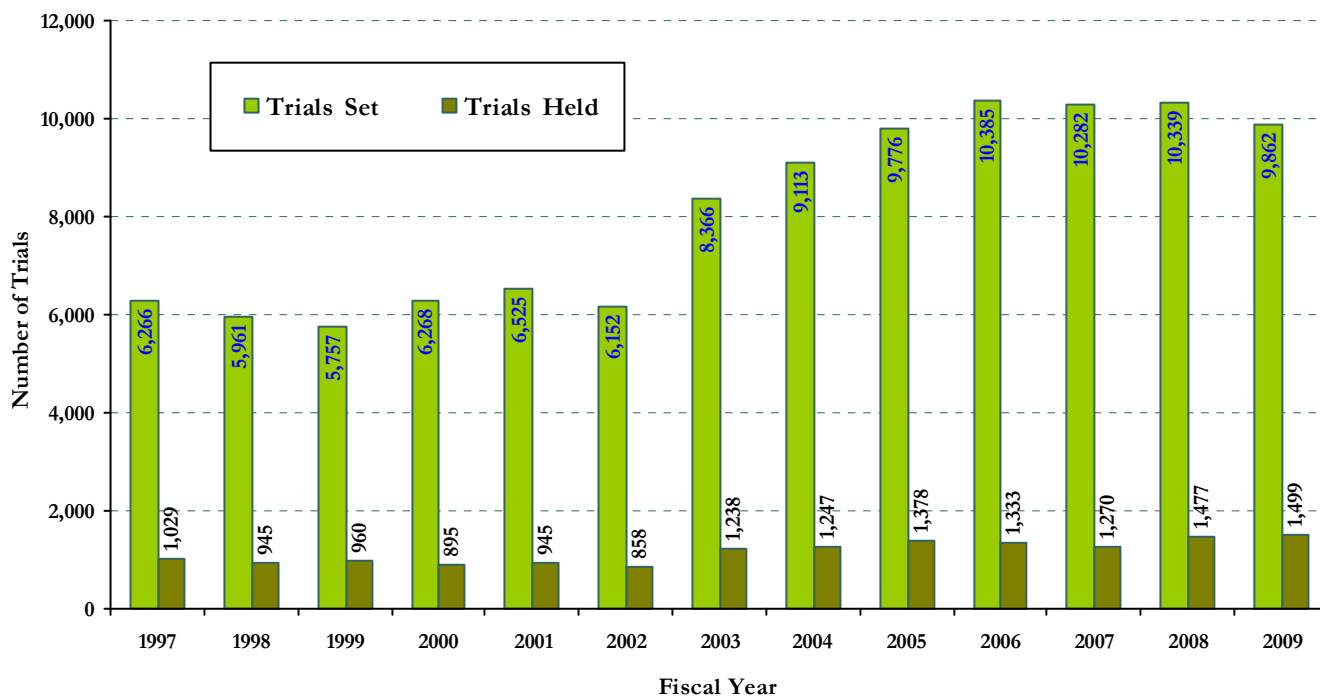


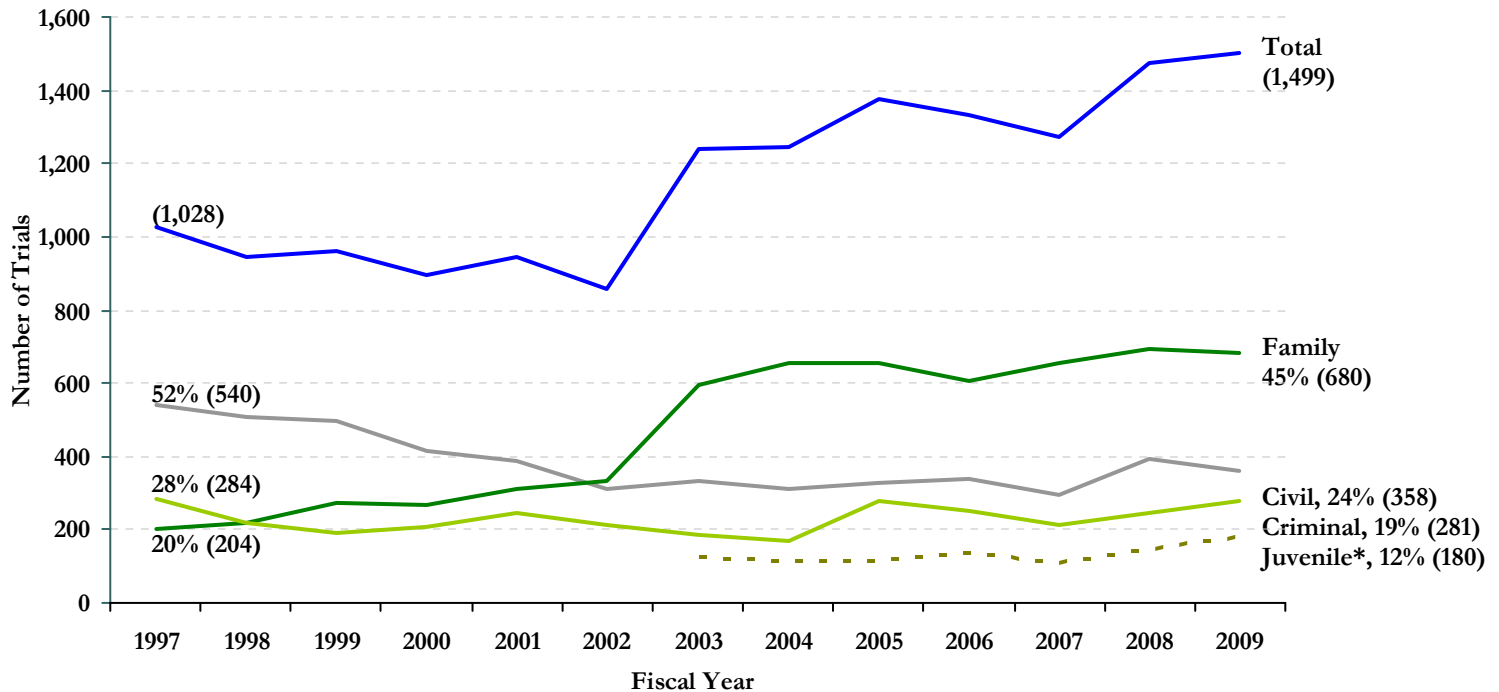
Figure 25 displays the number and percentage of trials held by case type between FY1997 and FY2009. Between FY1997 and FY2009, the Montgomery County Circuit Court witnessed an increase of 46% in the number of trials held.²⁰ This large increase in the number of trials is primarily the result of a marked increase in the number of family trials held over time. Specifically, there has been an over 200% increase in the number of family trials held between FY1997 and FY2009. In contrast, civil and criminal trials experienced declines during this time period. For civil cases, the number of (bench and jury) trials held declined by 34% from 540 in FY1997 to 358 in FY2009. For criminal cases, the percentage decline in bench and jury trials between FY1997 and FY2009 is 1%. The declines in civil trials experienced in Montgomery County Circuit Court are higher than statistics obtained from a statewide analysis of trial trends performed by the National Center of State Courts (NCSC).²¹ According to an analysis of trial trends in 23 state court systems by the NCSC (2004), a 7% decline was observed in the number of civil bench and jury trials between 1976 and 2002. In the same NCSC report, the number of criminal bench and jury trials declined by 12% between 1976 and 2002, which is markedly higher than the 1% decrease in trials experienced by Montgomery County Circuit court between FY1997 and FY2009. It is important to note that while there are differences in the number of criminal and civil trials as compared to the

²⁰ It may be appropriate to exclude juvenile trials from the calculation of percentage change over time because juvenile cases did not fall under the Circuit Court's jurisdiction until FY2003. If juvenile trials were excluded, the percentage change in the number of trials held over time reduces to 33% (as opposed 47%).

²¹ Brian J. Ostrom, Shauna M. Strickland, and Paula L. Hannaford-Agor, "Examining Trial Trends in State Courts: 1976-2002," *Journal of Empirical Legal Studies* 1, no.3 (November 2004): 755-782.

nationwide statistics, such differences may be due to how the data was collected, the length of the observation period, or other methodological considerations.

Figure 25 Number and Percentage of Trials Held by Case Type (FY1997 - FY2009)



Case Processing Analysis

As part of the Court's effort to increase the efficiency of its case processing operations and maintain them at an optimum level, the Court established a Differential Court Management (DCM) plan for each major case type (civil, criminal, family and juvenile, see "DCM" discussion on pages 52-54). These plans, which were developed in 2000, set performance standards for each case type. The DCM performance standards are more detailed than the statewide performance standards, which were developed through a collaborative initiative by the Maryland Judiciary in 2000. However, the statewide performance standards are utilized by all Circuit and District Courts in Maryland to evaluate performance and case processing efficiency, in particular. For Circuit Courts, case processing time standards are available for seven major case types, including civil, criminal, family, juvenile delinquency, child in need of assistance (CINA) shelter care, CINA non-shelter care, and termination of parental rights (TPR). The state case processing time standards provide guidance regarding the efficiency within which cases should be disposed, as well as set goals against which courts should measure themselves.

Table 7 provides the statewide time standards and the within-standard percentage goals for each Circuit Court case type, in addition to the FY2008 and FY2009 case processing performance for Montgomery County Circuit and the statewide percentage. For FY2009, the Circuit Court met or exceeded the statewide within-standard percentage goals for family cases and missed the goals by two percentage points for civil, criminal and juvenile delinquency cases. The Court's performance was near or above the statewide percentage in all but two case types (CINA Shelter and Non-Shelter) where the Court's performance was 10 percentage points lower than the statewide percentage. It is noteworthy that the Court improved its TPR processing performance from 61% in FY2008 to 95% in FY2009 though it has yet to achieve the statewide goal of 100%.

Table 7 Statewide Caseflow Assessment Time Standards and Percent of Cases Closed within Time Standard: Statewide Goals, Montgomery County Performance and Statewide Average, FY2009

Case Type	Statewide Assessment Time Standard	% of Cases Closed within Time Standard				
		Statewide Assessment Goal	Montgomery County Circuit Court			Statewide Percentage, FY2009†
			FY2008*	FY2009	(N)	
Civil	548 days	98%	95%	96%	(7,746)	93%
Criminal	180 days	98%	86%	96%	(2,613)	93%
Family, Standard 1	365 days	90%	90%	92%	(7,440)	91%
Family, Standard 2	730 days	98%	>99%	>99%	(7,440)	98%
Juvenile Delinquency	90 days	98%	95%	96%	(1,384)	95%
CINA Shelter	30 days	100%	80%	69%	(238)	71%
CINA Non-Shelter	60 days	100%	90%	81%	(64)	91%
TPR	180 days	100%	61%	95%	(39)	41%

* These percentages for Montgomery County Circuit Court as well as the statewide are based on samples.

† The statewide percentages are not weighted based on each jurisdiction's overall case terminations.

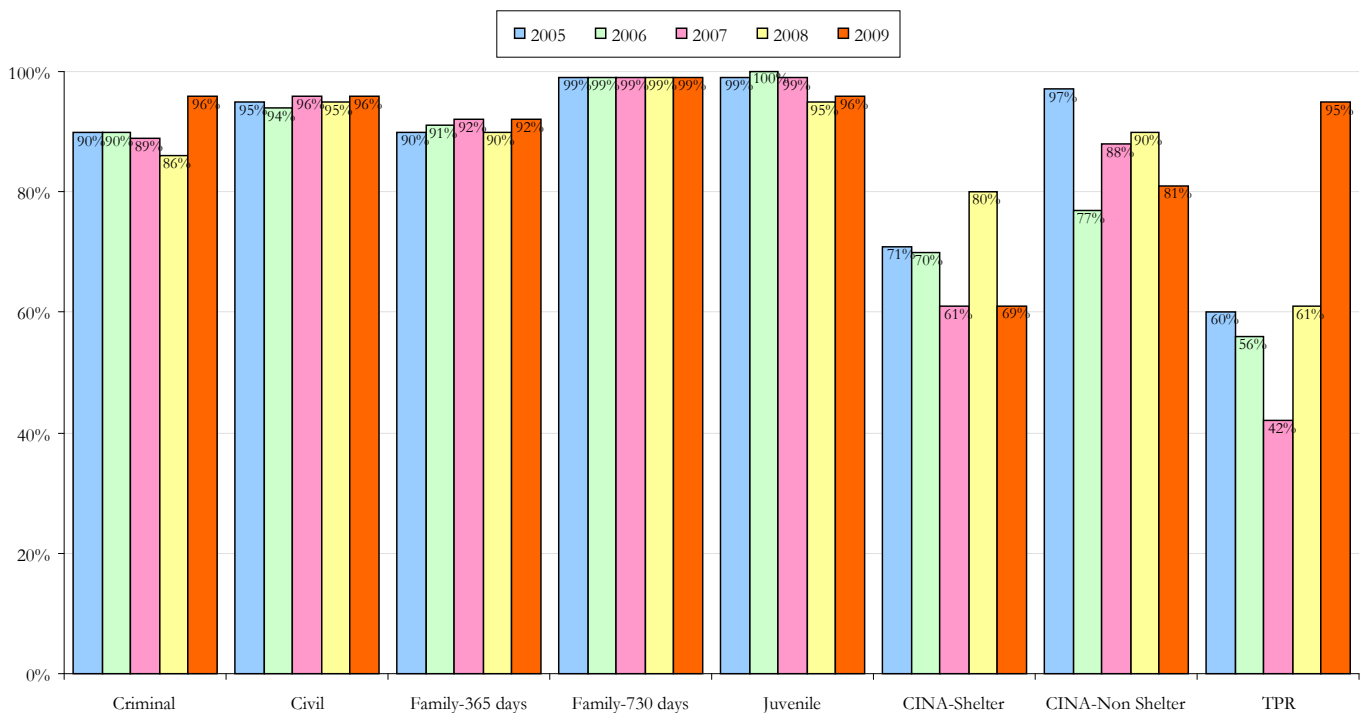
Table 8 compares the FY2009 case processing performance of Montgomery County Circuit Court with that of four other 'Large' jurisdictions in Maryland, including Circuit Courts in Anne Arundel County, Baltimore City, Baltimore County and Prince George's County, which are considered as equivalent to the County in terms of the number of presiding judges. For three case types (civil, criminal and family), Montgomery County Circuit Court's performance ranks second closely behind Anne Arundel County. For juvenile delinquency and CINA shelter, the Court ranks third. For CINA non-shelter, Montgomery County Circuit Court ranks fourth in case processing performance. For TPR cases, for which the Court processed 95% of cases within the time standard, the Court ranks the first.

Table 8 Percentage of Cases Closed within the Time Standard by Case Type: Montgomery County vs. four “Large” Jurisdictions, FY2009

Rank	Civil	Criminal	Family (365 days)	Juvenile Delinquency	CINA Shelter	CINA Non-Shelter	TPR
1	Anne Arundel (98%)	Anne Arundel (97%)	Anne Arundel (96%)	Anne Arundel (100%)	Prince George's (100%)	Anne Arundel (100%)	Montgomery (95%)
2	Montgomery (97%)	Montgomery (96%)	Montgomery (92%)	Prince George's (100%)	Anne Arundel (91%)	Baltimore County (100%)	Anne Arundel (93%)
3	Baltimore City (88%)	Prince George's (95%)	Prince George's (86%)	Montgomery (96%)	Montgomery (69%)	Prince George's (99%)	Baltimore County (25%)
4	Baltimore County (87%)	Baltimore City (87%)	Baltimore City (83%)	Baltimore City (92%)	Baltimore City (61%)	Montgomery (81%)	Baltimore City (24%)
5	Prince George's (84%)	Baltimore County (87%)	Baltimore County (77%)	Baltimore County (87%)	Baltimore County (54%)	Baltimore City (44%)	Prince George's (13%)

Figure 26 provides Montgomery County Circuit Court’s case processing performance by case type measured in terms of the percentage of cases closing within the state-defined time standards for FY2005 through FY2009. While the Court’s performance has been fairly consistent since the data was originally collected in 2001, CINA and TPR cases exhibit some fluctuations possibly because the number of these cases is relatively small compared to other case types, greatly impacting performance statistics when one or two additional cases fall over the time standard. It is important to note that the Court has been implementing various measures to improve the processing performance of TPR cases by closing working with the Sheriff’s Office, the County Attorney’s Office, and social service agencies, which may explain some of the large improvements exhibited in that case type over the past few fiscal years.

Figure 26 Montgomery County Circuit Court: Percent of Cases Closed Within-Standard, FY2005-FY2009

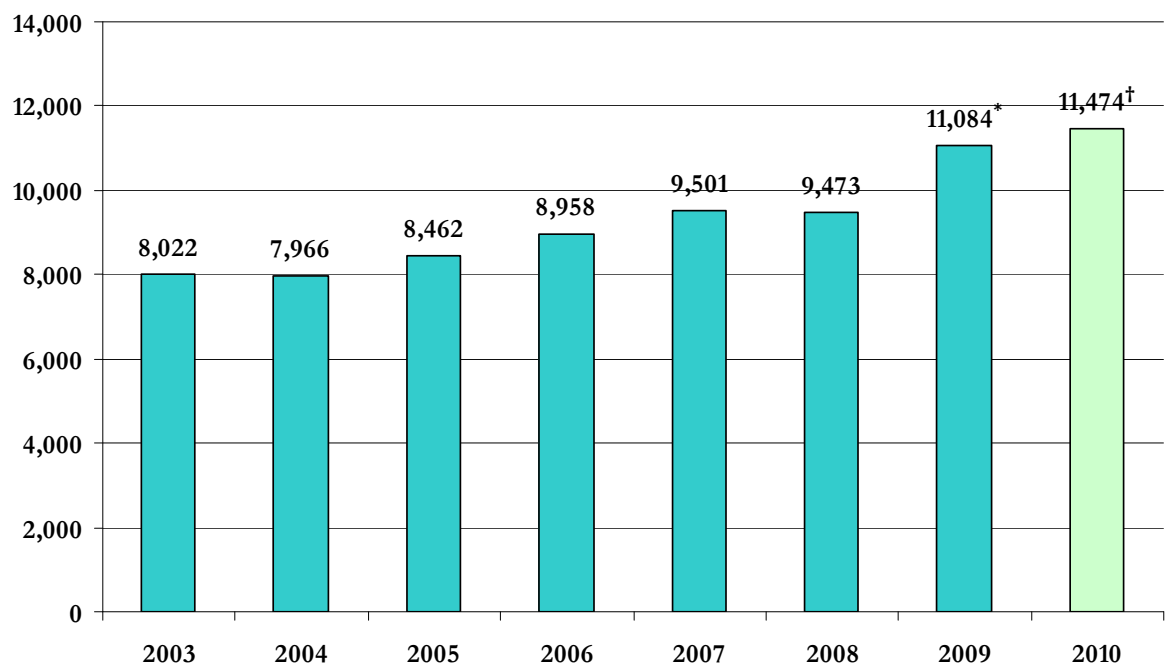


As in other Circuit Courts in Maryland, Montgomery County Circuit Court maintains two budgetary systems: Office of the Clerk of the Court under the state government budget and Court Administration under the Montgomery County government budget.

Office of the Clerk of the Court

As shown in Figure 27, after a slight decline from FY2003 to FY2004, the Office of the Clerk of the Court's actual budget increased by approximately \$500,000 per year from 8 to 9.5 million dollars between FY2004 and FY2007, a 19% increase.²² There was a slight decline in the budget between FY2007 and FY2008 (less than 1%) but a 17% increase in the budget between FY2008 and FY2009. The FY2010 allowance is 11.5 million dollars, which is less than 1% greater than the appropriation for FY2009.

Figure 27 Clerk of the Court Budget (in \$1,000s), Montgomery County Circuit Court, FY2003-FY2009



Sources: Maryland Department of Budget and Management, *Proposed Operating Budget Detail, Volume I. Judicial and Legal Review, FY2005-2009* (FY2003-08), Montgomery County Circuit Court Clerk's Office (FY2010) (<http://www.montgomerycountymd.gov/ombtml.asp?url=/content/omb/links.asp>)

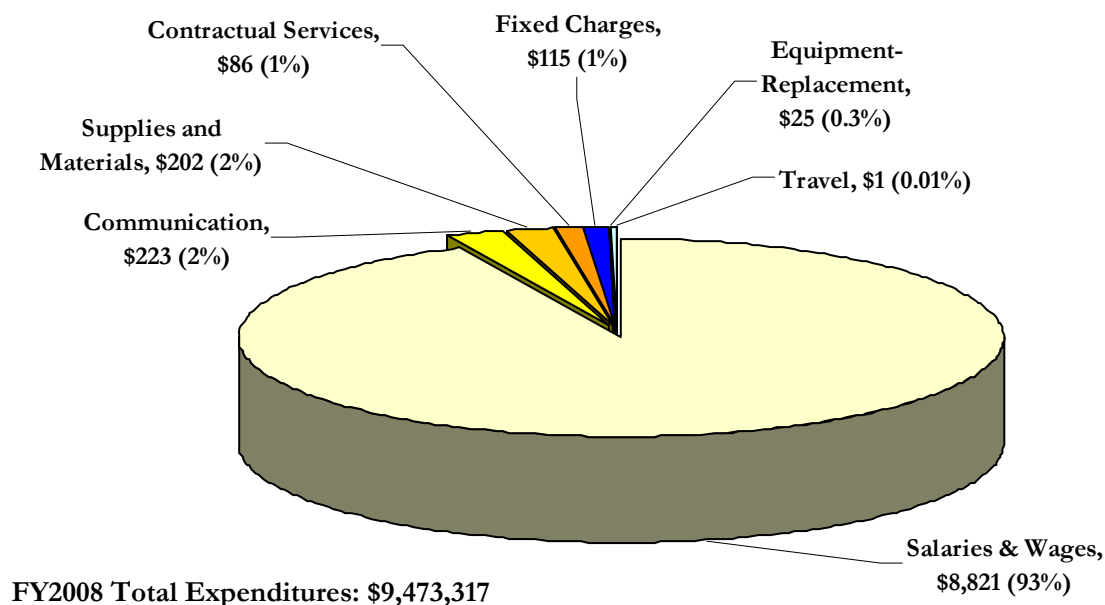
* Budget Book Appropriation

† Allowance (NOTE: Was legislative appropriation).

²² Budgetary data for the Clerk of the Courts was obtained from the Maryland Department of Budget and Management, *Proposed Operating Budget Detail, Volume I. Judicial and Legal Review, FY2005-2009*.

Figure 28 provides the breakdown of the Court's expenditures realized in FY2008. Similar to FY2007, over 90% of the Court's \$9.5million expenditures incurred in FY2008 were staff compensations and fringe benefits (\$8.8 million, 93%). Operating expenses account for the remaining \$0.7 million. In FY2008, approximately 80% of the Court staff and operations are funded through the State General Fund, 16% through State Special Fund and the remaining 3% through the federal funding.

Figure 28 Clerk of the Court FY2008 Actual Expenditures (in \$1,000s) by Category, Montgomery County Circuit Court



Source: Maryland Department of Budget and Management, *FY 2010 Proposed Operating Budget Detail, Volume I. Judicial and Legal Review* (<http://dbm.maryland.gov/agencies/operbudget/Pages/2010ProposedOperatingBudget.aspx>).

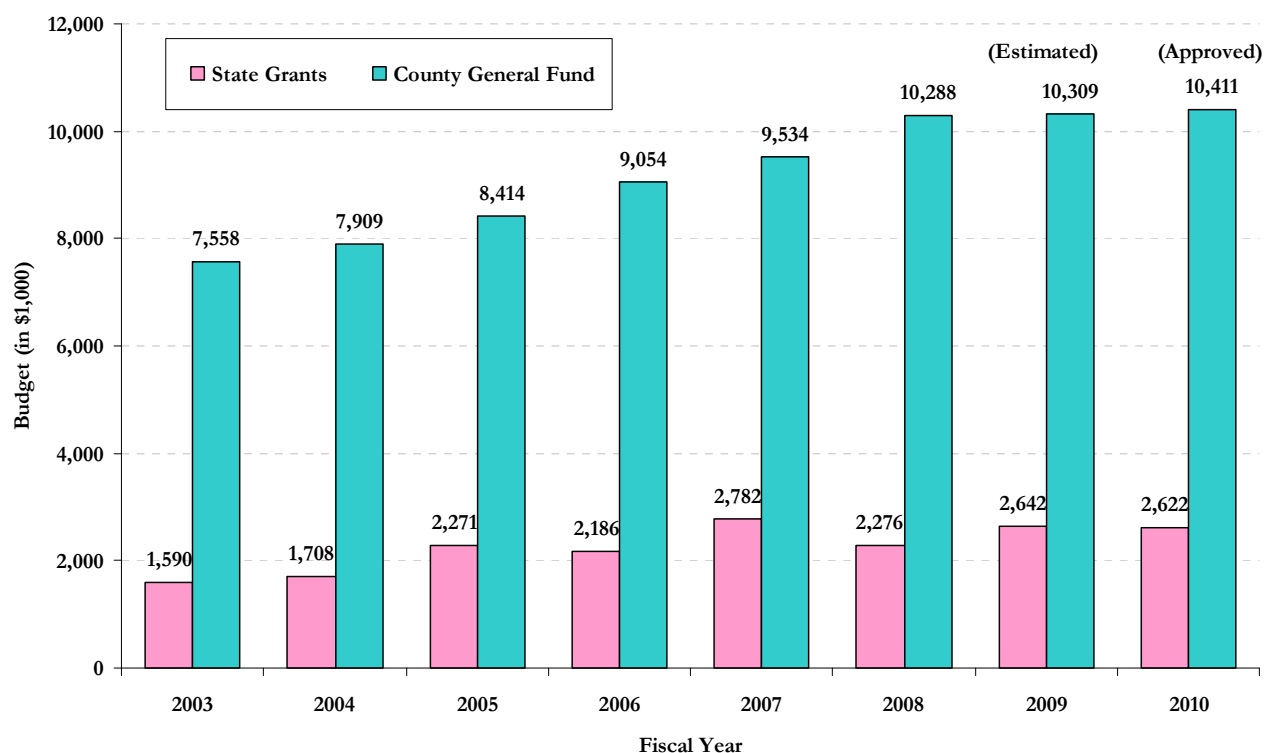
Court Administration

The Court Administration's budget consists of two major components (see Figure 29): 1) the Montgomery County General Fund and 2) various State grants. Between FY2003 and FY2009, the Court Administration's actual budget funded through the County's General Fund increased by 36% from 7.6 to 10.3 million dollars with an average increase of 6% per year.²³ During the same period, the size of the state grants, the majority of which is for the operation of Family Division Services (FDS), increased by 66% from 1.6 to 2.6 million dollars with an annual increase of 10%. As a result, the overall budget of Court Administration increased from 9.1 million dollars in FY2003 to 12.9 million dollars in FY2009, a 42%

²³ Budgetary data for the Court Administration was obtained from Montgomery County Office of Management and Budget (OMB), *Approved Operating Budget and Public Service Program, FY2005-2009*. Most recent copy of the report, *FY09 Approved Operating Budget and FY09-14 Public Service Program*, is available from the OMB's website (<http://www.montgomerycountymd.gov/ombtml.asp?url=/content/omb/FY09/appr/index.asp>)

increase (an average of 6% increase annually). The Circuit Court Administration's approved budget for FY2010 is 13.0 million dollars, \$200,000 (1.6%) less than its FY2009 approved budget (13.2 million dollars), reflecting that the Court, like other County departments, reduced its recommended FY2009 County-portion of the budget by over \$600,000 to alleviate the anticipated FY2010 budget shortfall even though its share of the entire county budget is miniscule. Even combined with the state grants, the Court's FY2009 budget (12.9 million dollars) is still less than 1% (0.3%) of Montgomery County's FY2009 operating budget (4.3 billion dollars).

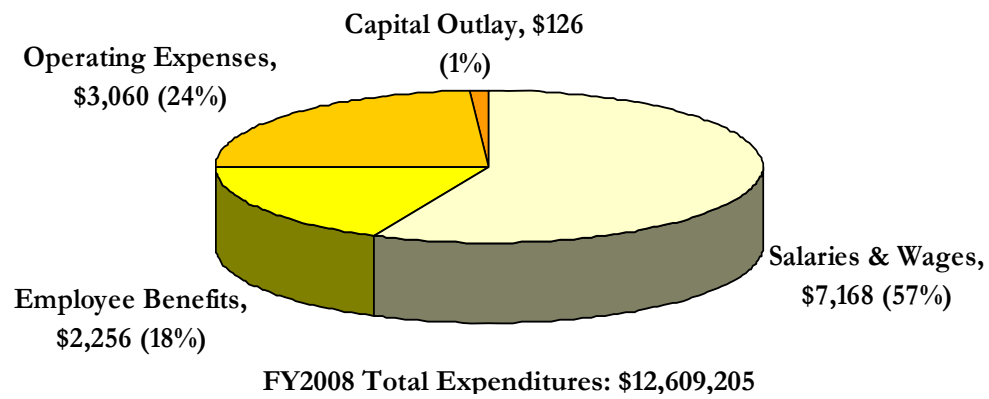
Figure 29 Court Administration Budget (in \$1,000) by Source of Funding, Montgomery County Circuit Court, FY2003-FY2010



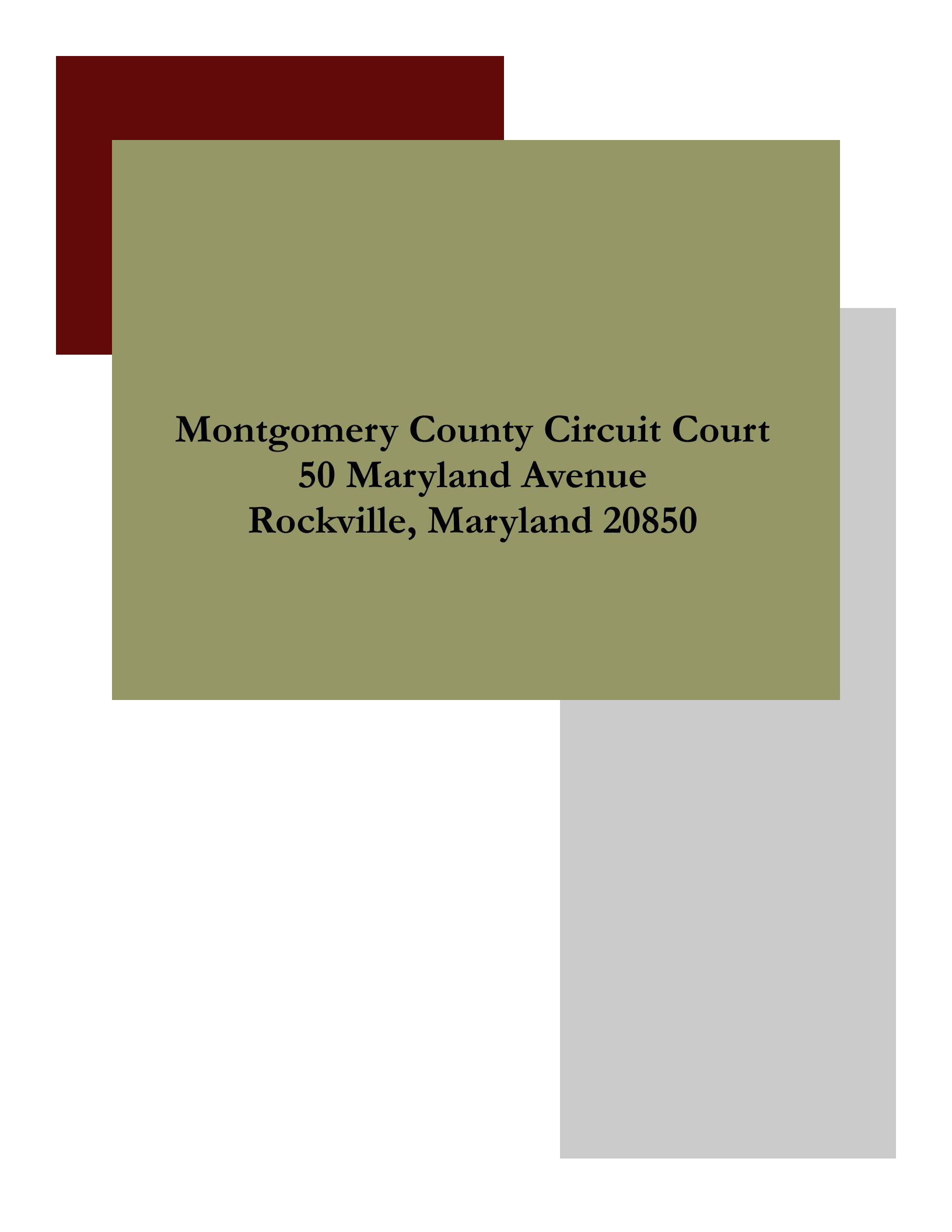
Source: Montgomery County Office of Management and Budget, *Approved FY10 Operating and Capital Budgets and Amendments to FY2009 – 14 Capital Improvements Program* (http://www.montgomerycountymd.gov/omb/html.asp?url=/content/omb/fy10/appr/psp_toc.asp#top).

Figure 30 provides the breakdown of the Circuit Court's expenditures realized in FY2008. Seventy-five percent of the Court's \$12-million expenditures incurred in FY2008 were staff compensations (\$7.2 million, 57%) and fringe benefits (\$2.3 million, 18%). Operating expenses account for most of the remaining \$3.1 million.

Figure 30 Court Administration FY2008 Actual Expenditures (in \$1,000s) by Category, Montgomery County Circuit Court



Source: Montgomery County Office of Management and Budget, *Approved FY10 Operating and Capital Budgets and Amendments to FY2009 – 14 Capital Improvements Program* (<http://www.montgomerycountymd.gov/ombtml.asp?url=/content/omb/FY10/appr/index.asp>).



**Montgomery County Circuit Court
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